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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 21

October 12, 1896 - May 22, 1899

THE NATIONAL ARCHIVES
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NOTES ON ROLL 21

The three volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / 1896. / Supreme Court / of the / United States."; (2) "Minutes / 1897. / Supreme Court / of the / United States."; and (3) "Minutes / 1898. / Supreme Court / of the / United States." They contain the minutes of the Supreme Court of the United States from October 12, 1896, to May 22, 1899.

The first volume contains the minutes of the Court from October 12, 1896, to May 24, 1897; the second, from October 11, 1897, to May 31, 1898; and the third, from October 10, 1898, to May 22, 1899.

VOLUME

1896

At the Capitol of the United States in the City of Washington and District of Columbia, being the Present Seat of the National Government of the United States, on the second Monday of October (being the twelfth day of the same month), in the year of our Lord one thousand eight hundred and ninety-six, and of the Independence of the United States the one hundred and twenty-first, the Supreme Court of the United States met agreeably to law.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. E. Dodge it is ordered that Charles E. Buell, Esquire, of Madison, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn ac-

On motion first made to the Court in this be
by Wm. V. B. Edwards it is ordered that Sila
Sweet, Esquire, of Des Moines, State of Iowa
admitted to practice as an attorney and C
sellor of this Court and he was sworn accord

On motion first made to the Court in this behal
Mr. Walter D. Davidge it is ordered that Thos
Dennis, Esquire, of Washington, District of Col
be admitted to practice as an attorney and C
sellor of this Court and he was sworn according

On motion first made to the Court in this behalf
Mr. George A. King it is ordered that Simon Lyo
Esquire, of Washington, District of Columbia,
admitted to practice as an attorney and Cou
sellor of this Court and he was sworn accor

The Chief Justice announced that the Court
would commence the call of the docket to-m
row, pursuant to the 7th rule.

Proclamation being made the Court is adjourn
until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Clark it is ordered that Thomas H. Nesbit, Esquire, of Fort Worth, State of Texas, and Fred H. Bentley and David Smyth, Esquires, of Wichita, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Wilson it is ordered that Henry J. Grannis, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn ac-

On motion first made to the Court in this behalf by Mr. Frank Johnston it is ordered that W. S. Burt, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Altheus Johnson it is ordered that Edward Gies, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Kearney it is ordered that L. N. Spangler, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

4. Joseph Lalone et al., Appellants, vs. The United States. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. A. T. Britton and Mr. A. B. Browne of counsel for the appellants, with leave to counsel for the appellee to file a brief within one week from this date, and counsel for the appellants to file a reply thereto within three days thereafter.

33. David G. Swaim, Appellant, vs. The United States. On motion of Mr. Solicitor General Conrad, It is ordered by the Court that

cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule

The United States,
145. vs. Appellant,
Earl B. Coe.

On motion of Mr. Solicitor General Conrad, It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of Section 9 of Rule 26.

Mollie King et al.,
508. vs. Plffs in Error
The United States.

Mr. Solicitor General Conrad, of counsel for the defendant in error, submitted to the consideration of the Court a confession of error herein.

512. L. J. Rosenecans, Plff in Error, vs. The United States.
536. James Mills, Plff in Error, vs. The United States.
551. Herman Keck, Plff in Error, vs. The United States.
563. The Interstate Commerce Commission, Appt, vs. Robinson et al.
578. Jess Noffsinger et al., Plffs in Error, vs. The United States.
579. C. L. Addington, Plff in Error, vs. The United States.
588. Frank Gardner, Plff in Error, vs. The United States.

Mr. Solicitor General Conrad, submitted to the consideration of the Court motions to advance these cases.

The United States,
606. vs. Appellant,

The petition for a writ of certiorari herein

Circuit Court of Appeals for the Second Circuit submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Coxe and Mr. Assistant Attorney General Whitney, in support of the same, and Mr. Charles Evans Hughes, H. Bickham Smith and Mr. David Lee Prince in opposition thereto.

No. 231. E. Price, Plff in Error, vs. The United States. Mr. Solicitor General Coxe, of counsel for the defendant in error, submitted to the consideration of the Court a motion to docket and dismiss this cause.

No. 232. Rufus E. Graves, Plff in Error, vs. The United States. On motion of Mr. Assistant Attorney General Whitney, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, dismissed, subject to the provisions of Rule 26.

No. 233. The United States ex rel. Charles D. Long, Plff in Error, vs. William Loeben, Commissioner of Patents. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Conrad and Mr. Assistant Attorney General Whitney in support of the same, and Mr. Charles Evans Hughes, H. Bickham Smith and Mr. David Lee Prince in opposition thereto.

530. The United States, vs. Appellant, Edward Kurtz.

This cause was submitted to the consideration of the Court, pursuant to the 24th rule, on the record and printed arguments by Mr. Assistant Attorney General Dodge, of counsel for the appellant and Mr. W. C. Lemmon, of counsel for the appellee.

617. The District of Columbia, appt., vs. George E. Johnson, appellee.
618. The District of Columbia, appt., vs. Margaret R. Shields et al.
619. The District of Columbia, appt., vs. James T. H. Hall.
620. The District of Columbia, appt., vs. Hilling Dickenson.

Mr. Assistant Attorney General Dodge, of counsel for the appellant, submitted to the consideration of the Court a motion to advance these cases.

1402. George McElroy et al., vs. Riffin Bros., The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William M. Cravens, of counsel for the plaintiffs in error and Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error.

547. The United States, vs. Riffin Bros., Henry Hurcker.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record

of the same, and Mr. Assistant Attorney Gener
Dickinson, in opposition thereto.

341. The United States, appellant, vs. The American Bell Telephone Company et al. Mr. James McK submitted to t consideration the Court a mo and petition f Standard Telephone Company for leave to f a brief herein.

622. The County of Mercer, in the State of Kentucky, plaintiff in Error, vs. The Provident Life and Trust Company of Philadelphia. The petition for writ of certiora herein to the Un States Circuit Co of Appeals for Sixth Circuit submitted to the consideration of the Court on printed arguments by Mr. Samuel Dickenso Mr. Thomas H. Bullitt, in support of the same and Mr. Alexander Pope Humphrey and Mr. E. M. Darst, in opposition thereto.

93. The City of New Orleans, appellant, vs. The New Orleans Pacific Ry. Co. et al. Mr. W. Willoughby, behalf of counsel, m the Court to pass th cause pro stipula agreed. Whereupon, It is now here ordered by the Court that this cause be, and the same is h by, passed for sixty days.

576. Henry J. Hunnes, Pl'ff in Error, v. The People of the State of New York. Mr. Thomas E. Benedict, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

608. Ray M. Jones, Appellant, v. Patrick Meehan et al. Mr. George E. Hamilton, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause, which was opposed by Mr. C. D. O'Brien and Mr. Orville Rinehart, of counsel for the appellees.

528. The Hanover Water Works Co., Appellant, v. Hoke Smith, Secretary of the Interior, et al. Mr. Frederic D. McKenney, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

92. John A. McBride, Appellant, v. The Grand De Tour Road Company et al. Mr. Frederic D. McKenney, in behalf of appellant, moved the Court to continue this cause until the next term per stipulation of counsel. Whereupon it is now here

Cases severally passed.

535. The Steamboat Land & Lumber Co. vs. John L. Russell, County Treasurer etc. — Appellant. — Mr. J. M. Wilson, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

586. Levi C. Weir, President etc. vs. L. C. Norman, Auditor etc. — Appellant. — Mr. W. J. Mendrick of counsel for the appellee, submitted to the consideration of the Court motions to advance these causes.

561.

And

611. The Western Union Telegraph Co. vs. L. C. Norman, Auditor etc. — Appellant.

1497. John F. Bushnell vs. Cyrus A. Leland, Receiver etc. — Plff in Error. — Mr. Edward Winslow Paige, of counsel for the defendants in error, submitted to the consideration of the Court motions to advance these causes.

601.

504. The American Surety Co. of New York vs. Frederick N. Finley, Receiver etc. — Plff in Error.

518. The American Surety Co. of Maryland vs. Frederick N. Finley, Receiver etc. — Plff in Error.

The United States,
vs. Appellant,
Charles F. Gilbertson &c

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Frank H. Hewett, in support of the same, and Mr. Assistant Attorney General Dodge, and Mr. Charles H. Russell, in opposition thereto.

Prentiss D. Cheney,
vs. Appellant,
John L. Bailey

The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on a printed argument by Mr. Charles E. Mayson, in support of the same.

E. N. Hubbard, Assignee,
vs. Appellant,
J. Kennedy Tod et al

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on a printed argument by Mr. John Lowell and Mr. Henry J. Taylor, in support of the same.

Caroline M. Forsyth,
615. Appellant,
v.
The City of Hammond et al.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the consideration of the Court on printed arguments by Mr. Charles N. Aldrich, in support of the same, and Mr. H. A. Miller, Mr. F. Hunter, and Mr. John B. Elam, in opposition thereto.

Lewis Perrine et al.,
544. Plffs in Error,
v.
Mary Hunter.

The motion for a writ of supersedeas or other appropriate writ was submitted to the consideration of the Court on the record and a printed argument by Mr. Calderon Carlisle, Mr. J. M. Wilson and Mr. William G. Johnson, in support of the same, and leave was granted counsel for the defendant in error to file a brief in opposition thereto on or before the 21st instant.

Octavia J. Parsons,
764. Plff in Error,
v.
Gustav Venzke et al.

This cause was submitted to the consideration of the Court, pursuant to the 21st rule, on the record and printed arguments by Mr. Seth Newman, of counsel for the plaintiff in error, and Mr. W. H. Hundley, of counsel for the defendants in error.

65. The Kansas City, Fort Scott & Memphis Railroad Company v. Riffin & Bro. J. M. Linnell et al. } In Error to the Supreme Court of the State of Missouri.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed.

Per Mr Chief Justice Fuller.

207. The Northern Pacific Railroad Company v. The City of Spokane et al. } Appeal from the United States Circuit Court for the District of Washington. Appeals for the Ninth Circuit.

It appearing to the Court that an authority of counsel for the appellant to dismiss this appeal has been filed. Therefore, in pursuance of said authority, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

236. The Northern Pacific Rail road Company, vs. Clifton Ewen, Eugene Foster. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

Appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

237. The Northern Pacific Rail-road Company, vs. Cliff in Error, Andrew Mortensen. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

Happearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

Temple Short and Charles F. Randall,
315. vs. Appellants
John F. Pierce and E. N. Christofferson.

Appeal from the Supreme Court of the Territory of Utah.

It appearing to the Court that a motion by counsel for the appellants to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby, dismissed with costs. And it is further ordered that this cause be and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr. Chief Justice Fuller.

The Mount Pleasant Equitable Coop. and Peter Nielsen, Receiver,
1111. vs. Appellants,
U. F. Noble Mercantile Company, a corporation, and Arthur Pearson, Intervenor.

Appeal from the Supreme Court of the Territory of Utah.

It appearing to the Court that a stipulation by counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismiss

cause be, and the same is hereby remanded to the Supreme Court of the State of Utah.

Per Mr. Chief Justice Fuller.

411. The Mt. Pleasant Equitable Coop. et al., vs. C. P. Hobe Mercantile Co. et al. Appellants

It is ordered by the Court that the Clerk have leave to issue the mandate in this cause.

Per Mr. Chief Justice Fuller.

429. James Dyer, vs. The United States Plff in Err.

Mr. A. B. Browne, in behalf of Counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

2. Albert Price et al., vs. Elijah Chisum. Plff in Error

In Error to the Supreme Court of the State of Arkansas

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

5. The Dubuque & Sioux City Railroad Company, vs. Joseph Sampson, Trustee. Appellant.

6. Joseph Sampson, Trustee, vs. The Illinois Central Railroad Company et al. And The Cedar Falls & Minnesota Railroad Company, vs. The Illinois Central Railroad Co. Appellant.

Appeals from the Circuit Court of the United States for the Northern District of Illinois.

7.

This cause having been called for hearing in its regular order, and a stipulation to dismiss this cause having been filed, Therefore in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by the Court that these appeals be, and the same are hereby dismissed.

Per Mr. Chief Justice Fuller.

11. The Chicago & Northwestern Railway Company, vs. The City of Chicago. Plaintiff in Error.

On motion of Mr. John J. Herrick, It is ordered by the Court that this cause be, and the same is hereby, passed until cases Nos. 129 and 130 are reached in the call of the docket.

12. The Northern Pacific Railroad Co, Plff in Error, vs. Junius G. Sanders et al. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 26.

8. The State of Wisconsin ex rel. John R. Baltzell, Plff in Error, vs. Robert G. Siebecker, Circuit Judge, &c. This cause was argued by Mr. Charles S. Buell of Counsel for the defendant in error, and submitted on a printed argument by Mr. A. L. Sanborn, of Counsel for the plaintiff in error.

9. Zeph. D. Hill, Plff in Error, vs. John Corcoran. This cause was argued by Mr. H. C. Beeker, of Counsel for the plaintiff in error, and Mr. Frederic D. McKenney, of Counsel for the defendant in error.

10. The Prairie State National Bank of Chicago, Ills., Appellant, vs. The United States. The argument of these causes was commenced by Mr. Howard Henderson, of Counsel for the appellant in No. 10.

16. The United States, Appellant, vs. Charles A. Hitchcock et al.

Proclamation being made, the Court adjourned to 12 o'clock M. tomorrow.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice

Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer Associate
Henry B. Brown Justices
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Santiago Ainsa, Admr &c.,
85. vs. Appellant.
The New Mexico & Arizona Rail road Company.

Santiago Ainsa, Admr &c.,
86. vs. Appellant.
The New Mexico & Arizona Rail-road Company et al

On motion of Mr. Matt. G. Reynolds, It is ordered by the Court that these cases be, and they are hereby, passed to be heard with case No. 181, as one case, when that case is reached in the call of the docket.

The Northern Pacific Rail-road Company,
vs. Appellant,
32. Charles H. Cannon Catherine B. Cannon, Henry Cannon and The City of Helena.

Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. A. R. Browne, and a motion by Counsel for appellant to dismiss this appeal having been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

The United States,
vs. Appellant,
371. The Winona & St. Peter R. R. Co. et al.

And

The United States,
vs. Appellant,
372. The St. Paul & Sioux City R. R. Co. et al.

On motion of Mr. A. R. Browne, in behalf of Counsel, It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday, November 6th next.

The Winona & St. Peter R. R. Co. et al,
vs. Appellants
602. The United States.

It is ordered by the Court that this cause be submitted on

Jinning Newmarket Bank.

14. The United States, Appellant, vs. Philip Roettinger, Administrator of Jacob Ehni, deceased. Appeal from the Court of Claims.

This cause having been called for hearing in its regular order, and a stipulation to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered, and adjudged by this Court that this appeal be, and the same is hereby dismissed. Per Mr. Chief Justice Fuller.

11. Ana J. Dominguez de Guyer et al., vs. Wm. Kissam Eno, William Banning. It is ordered by the Court that this cause be, and the same, is hereby, passed subject to the provisions of Section 9 of the Act.

10. The Prairie State National, Bank of Chicago, Ills., vs. The United States, Appellant. The United States, vs. Charles A. Hitchcock, Appellant. Reargument of these cases was continued by Mr. Howard Henderson, of counsel for the appellant in No. 10, and Mr. George A. King, of counsel

Mr. A. B. Browne, of counsel for the appellant in No. 10, and the cases were submitted on a printed argument by Mr. Assistant Attorney General Dodge, of counsel for the United States.

14. The Chicago, St. Paul, Minneapolis & Omaha Railway Co., Plff in Error vs. John Roberts.

15. The Chicago, St. Paul, Minneapolis & Omaha Railway Co., Plff in Error vs. John Roberts.

The argument of these causes was commenced by Mr. Thomas Wilson, of counsel for the plaintiff in error, and continued by Mr. J. L. Macdonald, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court announced its

H. E. Price,
vs.
The United States.

On consideration of the motion to docket and dismiss this cause,

It is now here ordered by the Court that said motion be, and the same is hereby, denied, and leave is granted the plaintiff in error to enter his appearance in proper person and docket the cause.

Per Mr. Chief Justice.

The Southern Pacific R.R. Co. et al, Appellants,
vs.
The United States.

On motion of Mr. Assistant Attorney General

36½

now here ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, November 6th next, after the cases now before assigned for that day.

40. Amado Chaves et al., vs. Appellants. The United States et al.

41. The Pueblos of Zia, Santa Ana & Jemez vs. Appellants. The United States et al.

42. Manuel Crespin et al., vs. Appellants. The United States.

43. Lorenzo Hubbard et al., vs. Appellants, The United States et al.

It is now here ordered by the Court that these cases be and they are hereby passed, subject to the decisions of section 7 of Rule 20.

30. O. T. Moore vs. The City of Augusta. In Error to the Supreme Court of the State of Kansas.

This cause having been called to the attention of the Court by Wm. H. Ashton, of counsel for the plaintiff in error, and he having moved the Court to dismiss this writ of error. Therefore, in pursuance of said motion, It is now here ordered, and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

14. The Chicago, St. Paul, Minneapolis & Omaha Railway Co. vs. Pfft in Error, John Roberts

The argument of these cases was continued by Mr. J. L. Macdonald, of counsel for the defendant in error, and concluded by Mr. Thomas Wilson, of counsel for the plaintiff in error.

15. The Chicago, St. Paul, Minneapolis & Omaha Railway Co. vs. Pfft in Error, John Roberts

17. William Henry, vs. Appellant, The Alabama & Vicksburg Railroad Company

This cause was submitted on the consideration of the Court on the record and a printed argument by Mr. Wade H. Young, of counsel for the appellant. No brief was filed for the appellee.

20. Henry N. Tucker, vs. Appellant, London McKay, Executor

The argument of this cause was commenced by Mr. Charles Allen Tyler, of counsel for the appellant. The Court declined to hear further argument.

The Wisconsin Central Railroad Company, Appellant
vs.
The United States.

For the appellant.

The argument of this cause was commenced by Mr. Louis D. Brandeis, of counsel.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire Marshal,
James H. McKenney, Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr. Joseph K. McCammon it is ordered that John Lawson Hubbell, Esquire, of Newark Hall of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Beverley R. Kemp, Esquire, of Richmond in State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edsey Young it is ordered that Michael F. McCullen, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Patrick it is ordered that P. B. McKenzie, Esquire, of Eufaula, State of Alabama be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

318. The United States, Appellant, vs. The Oregon & California Railroad Co. et al. On motion of Mr. Assistant Attorney General Dickinson, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, November 4th, next, after the cases heretofore assigned for that day.

54. G. L. Walker et al., vs. Wm. Sims et al. and E. Collins et al. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4 of Rule 6.

178. The East Tennessee, Virginia and Georgia Railway Company et al. vs. H. R. Jordan. Appellants, Appeal from the Circuit Court of the United States for the Southern District of Georgia.

Appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

91. The Wisconsin Central Railroad Company, vs. The United States. Appellant. The argument of this cause was continued by Mr. Louis D. Brandeis, of counsel for the appellant, and concluded by Mr. Assistant Attorney General Dodge, of counsel for the appellee.

25. William G. Ford et al., vs. The Delta & Pine Land Co. et al. Appellants, Argument of this cause was commenced by Mr. Craig Young, of counsel for the appellants, and continued by Mr. Frank Johnston, of counsel for the appellees.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Harmon it is ordered that Fred H. Kearn and Rankin K. Jones, Esquires, of Cincinnati, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were so born accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Joseph F. Richards, Esquire, of Salt Lake City, State of Utah, and James A. McIntosh, Esquire, of Omaha, State of Nebraska be admitted to practice as attorneys and counsellors of this Court and they were so born

On motion first made to the Court in this behalf by Mr. Henry C. Davis it is ordered that Edward H. Thomas Esquire, of Washington District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Deer Lake and River Water Works and Irrigation Company and The Jarvis Conklin Mortgage Trust Company, Appellants, vs. William Garland and Corey Bros & Company

Appeal from the Supreme Court of the Territory of Utah.

4/8.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed, with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr Justice Bradley

The American Road Machine Company
v. Appellant,
27. The Pennock & Sharp Company, Limited, Theodore Pennock, George B. Sharp and George B. Sharp, Jr. } Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

The Singer Manufacturing Co.,
No. 6 of Oct. T. 1878. v. Appellant,
The Jagar Manufacturing Co.
The Singer Manufacturing Co.,
No. 7 of Oct. T. 1878. v. Appellant,
George P. Bent.
The United States,
No. 95 of Oct. T. 1878. v. Appellant,
The Winchester & Potomac R. R. Co.

It is ordered by the Court that the orders staying the mandates in these cases, entered at the last term of this Court, be, and the same are hereby, vacated and set aside.

Per Mr. Chief Justice Waite.

Levi C. Hein, President of Adams Express Co.,
336. vs. Appellant,
L. C. Norman, Auditor of Public Accounts of Kentucky,
The Western Union Telegraph
614. vs. Appellant,
L. C. Norman, Auditor of Public Accounts of Kentucky.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same, are hereby granted and the cases assigned for argument on the first Monday of December next, to be heard with Cases Nos. 337, 338, 339, 340, 352, 398, 399, 1100, 1101 and No. 1105 on the docket. It is further ordered that Cases Nos. 337, 338, 339, 340, 352, 398, 399, 1100, 1101, 1105, 448, 469, 1170, and 1171 &c, and they are hereby re-assigned for argument on the first Monday of December next.)

(See Mr. Chief Justice Fuller's

The United States,
344. vs. Appellant
The American Bell Telephone Co. et al.

On consideration of the motion and petition of The Standard Telephone Company for leave to file a printed Brief herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

(See Mr. Chief Justice Fuller's

1496 James Dyer, vs. In Error, The United States

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of December next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

1497 John F. Bushnell vs. In Error, Cyrus A. Leland, Receiver &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of December next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

508. Mollie King and Berry Foreman, vs. In Error, The United States

In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and a confession of errors by counsel for the defendant in error having been filed. Therefore, in pursuance of said confession, It is now here ordered and adjudged by this

that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity to law.

Per Mr. Chief Justice Fuller.

504. The American Surety Company of New York, Plff in Error, vs. Frederick N. Pauly, Receiver. On consideration of the motion to advance these cases, it is now hereordered, by the Court that said motion be, and the same is hereby, denied.

505. The American Surety Company of New York, Plff in Error, vs. Frederick N. Pauly, Receiver &c.

Per Mr. Chief Justice Fuller.

512. The Hurlbut Land & Cattle Co., Appellant, vs. John S. Hancock, County Treasurer &c. On consideration of the motion to advance this cause, it is now hereordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

527. L. D. Rosenenaw, Pltff in Error, vs. The United States.
536. James Miles, Pltff in Error vs. The United States.
551. Herman Keck, Pltff in Error, vs. The United States.
573. Jas Rosinethal, Pltff in Error, vs. The United States.
[illegible] C. L. Addington, Pltff in Error, vs. The United States.
[illegible] Frank [illegible], Pltff in Error, vs. The United States.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument on the first Monday of December next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

530. The Warner Valley Stock Co., Appellant, vs. Hoke Smith, Secretary of the Interior, and Silas H. Lamoreaux, Commissioner of the General Land Office. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the case assigned for argument on the first Monday of December next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

561. Prentiss D. Cheney, Appellant, vs. John S. Bailey. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari

herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

563. The Interstate Commerce Commission, Appellant, v. The Alabama Midland Railway Co. et al. On consideration of the motion to advance this cause. It is now ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of January, 1897.

(Per Mr. Chief Justice Fuller.)

596. Henry Q. Harnes, Plaintiff in Error, v. The People of the State of New York. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

601. E. A. Hubbard, Assignee &c., Appellant, v. J. Kennedy et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth

herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

606. The United States, Appellant, vs. George T. Lies & Co. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support thereof as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

608. Ray M. Jones, Appellant, vs. Felix McMechan et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

615. Caroline M. Forsyth vs. Appellant / The City of [illegible] — Cra petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circ[illegible]

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit and of the argument of counsel thereupon had and made in support of and against the same, It is now here ordered by the Court that said petition be and the same is hereby granted.

Per Mr. Chief Justice [illegible]

617. The District of Columbia Appt vs. George E. Johnson, Admr etc.
618. The District of Columbia Appt vs. Margaret N. Dickens et al.
619. The District of Columbia Appt vs. Joseph P. [illegible]
620. The District of Columbia Appt vs. William Dickens [illegible]

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice [illegible]

The County of Mercer, in the State of Kentucky
671. vs. [illegible]
The Provident Life & Trust Company of Philadelphia. — On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of Certiorari,

for the Sixth Circuit, and of the argument of Counsel thereupon had, as well in support of the motion, as against the same. It is now here ordered by the Court, that said petition be, and the same is hereby granted.

(Per Mr. Chief Justice Waite.)

17. William Henry, Appellant, vs. The Alabama & Vicksburg Railroad Company. Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

(Per Mr. Chief Justice Waite.)

20. Henry A. Tucker, Appellant, vs. Gordon McKay, Trustee of the McKay Sewing Machine Association. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, It is now here ordered adjudged and decreed by

this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

533. Aldace F. Walker et al., Receivers &c., Appellants, v. Nilson T. Keenan et al. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now hereby ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

(Mr. Justice Gray took no part in the consideration of this petition.)

625. Warren E. Price, v. The United States. On motion of Mr. Solicitor General Conrad, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on the third Monday of January next.

1495. Albert L. Frances et al., vs. Plaintiffs in Error, The United States. On motion of Mr. Assistant Attorney General Whitney it is ordered by the Court that this cause be, and the same is hereby, reassigned, for argument on Monday November 8th next after the causes heretofore assigned for that day.

1472. Joseph R. Dunlap, vs. Plaintiff in Error, The United States. On motion of Mr. Assistant Attorney General Dickinson, it is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, December 13th next.

Ex parte In the matter of N. D. Ambler, Petitioner. Mr. C. E. Dunbar, of Counsel, submitted to the consideration of the Court a motion for leave to file a petition herein.

314. The United States, vs. Appellant, The Union Pacific Railway Company et al. On motion of Mr. J. M. Wilson, in behalf of Counsel, it is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, November 8th next, with Cases Nos. 321 and 322 as one cause.

655. Kingman & Co., vs. Riffin Error, The Western Manufacturing Co. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed argument by Mr. James A. McClock in support of the writ.

556. William Dugald Stuart, vs. Riffin Error, The City of Salem et al. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit was submitted to the consideration of the Court on a printed argument by Mr. C. B. Taylor, Mr. A. F. Treadway and Mr. W. B. Rawle, in support of the writ.

573. The Boston Safe Deposit & Trust Company, vs. Appellant, Grant Hitchcock et al. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Henry B. Tompkins in support of the writ and Mr. C. E. Lucky and Mr. L. H. Spilman in opposition thereto.

574. The Boston Safe Deposit & Trust Company, vs. Appellant, Samuel H. Greene et al. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Henry B. Tompkins, in support of the same, and Mr. Willard Parker Butler in opposition thereto.

1147. E. K. Aguew, vs. Appellant, The United States. On motion of Mr. E. K. Foster, of counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, November 9th next after the cases now assigned for that day.

627. Abram H. Hendry et al., vs. Appellants, Ocean Steamship Company. The petition for writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit was submitted to the consideration of the Court on a printed argument by Mr. E. F. Warren and Mr. C. C. Burgett, in support of the same, with leave granted to file brief in opposition thereto within ten days.

629. The Merchants & Miners Transportation Co. vs. The Norfolk & Western Railroad Co. et al. Appellant

630. The Merchants & Miners Transportation Co. vs. The Norfolk & Western Railroad Co. et al. Appellant

The petition for appeal heretofore filed in this cause to the United States Circuit Court of Appeals for the First Circuit was submitted to the Court and a printed argument by Mr. E. F. Carver and Mr. S. E. Blodgett, in support of the same, with leave to counsel to file brief in opposition thereto within one week.

627. The Western Union Telegraph Company vs. Hattie Wolf, Admx. of S. O. Tigler.

On motion of Mr. J. N. Ashton, of counsel for the plaintiff in error and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice White.

152. R. J. Dailey, William Donaghue, Edward Lingle and T. H. Kennedy, Plffs in Error, vs. The State of Ohio. In Error to the Supreme Court of the State of Ohio.

This cause having been called to the attention of the Court by Mr. J. H. Welton, of counsel for Plaintiffs in error, and he having moved the Court to dismiss the writ of error in this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

284. Charles H. Nordstrom, Plff in Error, vs. The State of Washington. On motion of Mr. Henry E. Davis, in behalf of Counsel, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, November 16th next.

284. Charles H. Nordstrom, Plff in Error, vs. The State of Washington. Mr. Henry E. Davis, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to prosecute this cause in forma pauperis and that the transcript of record be printed at public expense.)

370. The Franklin Sugar Refining Co. vs. Appellant, The Steamship Silvia &c. } Mr J. Carter, Motion of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

631. Charles N. Bauman et al., vs. Appellants, John M. Ross et al, Commissioners &c. } Mr. A. J. Worthington, of Counsel, submitted to the consideration of the Court, motions to advance these Cases.

630. John M. Ross et al, Commissioners &c., vs. Appellants, Charles N. Bauman et al }

633. Butler T. Abbot, vs. Appellant, John M. Ross et al, Commissioners &c. }

634. John M. Ross et al, Commissioners &c., vs. Appellants, Charles N. Arnes et al }

159. The Press Publishing Co., vs. Appellees, Harriet Mc[illegible] } The motions to dismiss or affirm, in this cause were submitted to the consideration of the Court on printed arguments by Mr. George H. Yeaman and Mr. Henry S. Monrad, in support of the same, and Mr John M. Bowers, in opposition thereto

35. William S. Ford et al., Appellants, vs. The Delta & Pine Land Co. et al. The argument of this cause was continued by Mr. Frank Johnston, of counsel for the appellees, and concluded by Mr. Casey Young, of counsel for the appellants.

26. George F. Tullis, Plff in Error, vs. P. Crowley, Chief of Police. Ordered by the Court that this cause be, and the same is hereby passed, subject to the provisions of section 4 of Rule 30.

375. Sandy White, Plff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. F. A. H. Smith, of counsel for the plaintiff in error and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

37. The United States, Appellant, vs. Alfred H. Elliott et al. The argument of this cause was commenced by Mr. George A. Gorman, of counsel for the appellant, continued by Mr. James Lowndes, of counsel for the appellees, and concluded by Mr. Assistant Attorney General Dodge, of counsel for the appellant.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present:-

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr. John C. Fay it is ordered that M. C. Butler, Esquire, of Edgefield, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and thereupon he accordingly

334. Robert Robertson et al., Appellants, vs. The United States et al. On motion of Mr. J. M. Ralston, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the first Monday in December next after the cases heretofore assigned for that day.

116?. The Henderson Bridge Co. vs. The Commonwealth of Kentucky. Plff in Error. On motion of Mr. A. J. Hendrick, of Counsel for the defendant in error,

It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with cases Nos. 586 and 611, & once, else, on the first Monday of December next.

3143. L. A. Lineeum, vs. The United States. Plff in Error. On motion of Mr. John T. Morgan leave is, hereby granted him to withdraw his appearance as counsel for the plaintiff in error herein.

3444. The United States, vs. The American Bell Telephone Company et al. Appellant. It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, November 9th next, at the head of the calle for that day.

218. The Yosemite Mining and Milling Company, vs. Joseph E. Gallighee, William H. Remington and George M. Scott. Appellant, Appeal from the Supreme Court of the Territory of Utah.

Happearing to the Court that a stipulation of

appeal has been filed. Therefore, in pursuance of said stipulation. It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed. And it is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Illinois.

Per Mr. Chief Justice Waite.

218. The Yosemite Mining & Milling Co., Appellant, vs. Joseph E. Gallagher et al. Ordered by the Court that leave be, and the same is hereby, granted the Clerk to issue the mandate in this cause.

52. The Germania Iron Co., et al., Appellants, vs. The United States. This cause was argued by Mr. William H. Bill-son, of counsel for the appellants, and Mr. Assistant Attorney General Dickinson, of counsel for the appellee.

149. The United States, Appellant, vs. William J. Verdier, Jr. This cause was argued by Mr. Assistant Attorney General Dodge, of counsel for the appellant, and Mr. Harvey Spalding, of counsel for the appellee.

1896. C. J. Night, Pl'ff in Error, vs. The United States. On motion of Mr. Attorney General Harmon, it is ordered by the Court that this cause, be, and the same is hereby, passed.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. H. Lamar it is ordered that H. B. Lamar, Esquire, of Tallahassee, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

James Compton,
vs. Appellant.
James R. Jones and Edward A. Dixon, Trustees, et al.

It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, November 30th next, it being the case heretofore assigned for that day.

31

115. The New York Indians, Appellants, vs. The United States. On motion of Mr. A. E. Davis, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, November 30th next, after the cases heretofore assigned for that day.

87. F. R. Osborne, Plaintiff in Error, vs. The State of Florida. On motion of Mr. H. B. Lamar, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, November 30th next, after the cases heretofore assigned for that day.

58. The Citizens Bank of Louisiana, Appellant, vs. Clifton Cannon, Sheriff, &c. This cause was argued by Mr. William A. Maury, of counsel for the appellant, and submitted on a printed argument by Mr. M. J. Cunningham, Mr. A. H. Leonard, and Mr. Alexander Porter Morse, of counsel for the appellee.

116. The Central Pacific Railway Co., Appellant, vs. The United States. This cause was argued by Mr. Solicitor General Conrad, of counsel for the appellee, and submitted on a printed argu-

A. Dyer, of counsel for the appellant.

356. The United States, Plff in Error, vs. Martin F. McMahon
357. Martin F. McMahon, Plff in Error, vs. The United States

These cases were argued by Mr. Assistant Attorney General Dodge, of counsel for the United States, and Mr. Richard R. McMahon, of counsel for McMahon.

60. N. B. Grimes Dry Goods Co., Plff in Error, vs. John Mullen, Deft

This cause was argued by Mr. Arthur J. Mosely, of counsel for the defendants in error, and submitted on a printed argument by Mr. G. B. Denison, of counsel for the plaintiff in error.

410. J. M. Scott et al, Appellants, vs. James Donald.
411. J. M. Scott, Plff in Error, vs. James Donald.,
412. J. M. Scott, Plff in Error, vs. James Donald.,
413. R. M. Gardner et al, Plff in Error, vs. James Donald.,

The argument of these cases was commenced by Mr. William A. Barber, of counsel for the appellants and plaintiffs in error, and continued by Mr. J. P. Kennedy Bryan, of counsel for the appellee and defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

549. Lewis Perrine et al., v. Pittsburgh Coal Co. et al. / Mary Kemble Sleeper. — On motion of Mr. Culbertson Carlisle, of counsel for the plaintiffs in error leave is hereby granted them to file a brief in reply to that of counsel for the defendant in error herein on or before to-morrow.

343. L. N. Linscomm, v. The United States. — Ordered by the Court that this cause be, and the same is hereby, dismissed.

336. Irington A. Edgington, v. [illegible] — Ordered by the Court that this cause be, and the same,

Enoch Flower,
1149. In Error, &c.
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Benj. D. Dyal and Mr. William M. Cravens, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error.

Lowry H. Haines,
1150. In Error, &c.
The United States.

In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 16th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

Charles H. Keene,
393. In Error, &c.
The United States.

This cause was submitted to the consideration of the Court on the record with leave to counsel for the plaintiff in error to file a brief within one week and counsel for the defendant in error to file a brief within three days thereafter.

410. J. M. Scott et al., Appts., vs. James Donald.
411. J. M. Scott, Plff. in Error, vs. James Donald.
412. J. M. Scott, Plff. in Error, vs. James Donald.
413. K. M. Gardner et al., Plff. in Error, vs. James Donald.

The argument of these cases was continued by Mr. J. P. Kennedy Bryan, of counsel for the appellee and defendant in error, and concluded by Mr. William A. Barber, of counsel for the appellants and plaintiffs in error.

James B. Wilson,
416. vs. Plff. in Error,
The United States.

This cause was submitted to the consideration of the Court on the record with leave to counsel to file briefs within one week.

The Central Railroad and Banking Co., of Georgia, et al.,
Appellants,
260. vs.
William A. Wright, Comptroller General, etc.

This cause was argued by Mr. A. R. Lawton, of counsel for the appellants, and Mr. J. M. Terrell, of counsel for the appellee.

Boyden Power Brake Co., et al.,
423 vs. Appellants.
George Westinghouse et al.
George Westinghouse, Jr., et al.,
426. vs. Appellants,
Boyden Power Brake Co., et al.

The argument of these cases was commenced by Mr. George Ticknor Curtis, of counsel for Westinghouse et al.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by M. D. A. McKnight it is ordered that W. B. Felker, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

486. Richard D. Whitsett, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the District of Maryland.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the tran-

suance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

371. Alexander Allen, Plff in Error, v. The United States. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Solicitor General Conrad, of Counsel for the defendant in error. No counsel appeared for the plaintiff in error.

381. John Brown, Plff in Error, v. The United States. This cause was submitted to the consideration of the Court on the record with leave to Counsel for the defendant in error to file brief within one week. No counsel appeared for the plaintiff in error.

389. Henry Starr, Plff in Error, v. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland, of Counsel for the plaintiff in error, and Mr. Solicitor General Conrad, of Counsel, for the defendant in error.

496. Pleasant Draper
vs.
The United States.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. J. K. Sterrett, of counsel for the plaintiff in error, and by counsel for the defendant in error, with leave to counsel to file briefs within one week.

62. J. J. Douglas
vs.
The Commonwealth of Kentucky.

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 20.

511. The Mutual Benefit Life Insurance Company
vs.
William Huebner, Executor of the Huebner et al.

Appeal from the Circuit Court of the United States for the District of [illegible].

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, therefore, in pursuance of said motion, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

1103. Boyden Power Brake Co, et al., Appellants, vs. George Westinghouse, Jr, et al. George Westinghouse, Jr, et al., Appellants, vs. Boyden Power Brake Co, et al. 1196.

The argument of these causes was continued by Mr. Lysander Hill and Mr. Hector T. Fenton, of Counsel for the Boyden Power Brake Co, et al., and concluded by Mr. Frederic H. Betts, of counsel for Westinghouse et al.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that Robert S. Lovett, Esquire, of Houston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. M. Love it is ordered that Edmund S. Evarts, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

535. The United States, Appellant, v. Charles G. Gilliat, Administrator cum testamento annexo of Simon Gilliat, deceased. } Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that this appeal be and the same is hereby dismissed.

Per Mr. Justice Brewer.
(Announced by Mr. Chief Justice Fuller.)

254. Rose L. Sallonstall, Philip L. Sallonstall and Richard M. Sallonstall, Executors of Vincent Sallonstall, late Collector of Customs for the same district of Boston and Charlestown, v. Ross in Error, Joseph Nickerson. } In error to the United States Circuit Court of Appeals for the First Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause,

And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Justice Shiras.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Field,
Mr. Justice Harlan,
Mr. Justice Brewer.

The United States, Appellants, } Appeal from the
530. vs. } Court of Claims.
Edward Kuntz. Appellant. }

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is, hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter a new judgment in conformity with the opinion of this Court.

Per Mr. Justice Shiras.

547. The United States, Plaintiffs, vs. Henry Hennekes. } On certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is ordered and adjudged by this Court that this certificate be, and the same is hereby, dismissed. Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

(Per M. Chief Justice Fuller.)

333. The United States ex rel. Charles D. Long, vs. William Lochren, Commissioner of Pensions. } In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and on a motion to dismiss which was argued by counsel. On consideration whereof, the suit having abated, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, without costs to either party.

(Per M. Chief Justice Fuller.)

Louis Perrine et al.,
v.
Mary Kemble Slack.

It is ordered by the Court that Comm in this cause be, and they are hereby required to file briefs on the merits of the jurisdiction of this Court on or before the first Monday of November next.

Per Mr. Chief Justice Fuller.

559.

Charles H. Nadelhorn,
v.
The State of Washington.

On consideration of the motion for leave to proceed in this cause in forma pauperis and that the transcript of the record be printed at public expense, It is now here ordered by the Court that this motion be, and the same is hereby, granted so far as the printing of the record is concerned.

Per Mr. Chief Justice Fuller.

281.

The Franklin Sugar Refining Co.,
v.
The Steamship Syria &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

370.

573. The Boston Safe Deposit & Trust Company, Appellant, v. Grant Hollins et al. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

574. The Boston Safe Deposit & Trust Company, Appellant, v. Samuel H. Greene et al. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

631. Charles A. Bauman et al. vs. John H. Ross et al. Commissioners &c. } Appeals, } On consideration of the motions to advance these cases, it is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument on the third Monday of January, 1897, to be heard as one case, after the cases heretofore assigned for that day.

632. John H. Ross et al. Commissioners &c. vs. Charles A. Bauman et al. } Appeals,

633. Butler F. Abbot, vs. John H. Ross et al. Commissioners &c. } Appellant,

634. John H. Ross et al. Commissioners &c. vs. Charles A. Bauman et al. } Appellants,

Per Mr. Chief Justice Fuller.

635. Hengman & Co. vs. The Western Manufacturing Company. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of A. D. Ambler, Petitioner. It is ordered by the Court that the motion for leave to file a petition herein be heard with the application already pending.

Per Mr. Chief Justice Fuller.

371. Alexander Allen, Plff in Err. vs. The United States. It is ordered by the Court that the charge of the trial Court be printed in full.

Per Mr. Chief Justice Fuller.

19. The United States, Appellant, vs. Philip Rollinger, Mr. On motion of Mr. Solicitor General Conrad, it is ordered by the Court that the Clerk have leave to issue the mandate in this cause.

103. The Atlantic & Pacific R. R. Co., Plff in Error, vs. Robert Mengers. On motion of Mr. Solicitor General Conrad, leave is hereby granted to file a brief herein on behalf of The United States.

1074. C. S. Haight, Plff in Error, vs. The United States. On motion of Mr. Assistant Attorney General Whitney, it is ordered by the Court

same is hereby re-assigned for argument on Wednesday, November 1st, at the foot of the call for that day.

75. Augusta P. Lloyd et al., Appellants, v. Mary E. Fallin et al. On motion of Mr. Charles J. Bonaparte, of counsel for the appellants, it is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 26.

557. The Pittsburg, Cincinnati, Chicago & St. Louis Railway Co., Appellant, v. Peter Toler, The Long Island Loan & Trust Co., Executor &c. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Kittredge and Mr. Joseph Wilby, in support of the same, and Mr. Lawrence Maxwell, Jr. and Mr. Charles S. Rice, in opposition thereto.

67. The United States, Appellant, v. The Trans-Missouri Freight Association et al. On motion of Mr. Attorney General Harmon, it is ordered by the Court that this cause be, and the same is hereby, passed.

66. Bernard Ansemann, Plff in Error, vs. William H. Buckhart. It is ordered by the Court that this cause be, and the same is hereby, passed, on account of the death of the plaintiff in error.

31 Rufus E. Graves, Plff in Error, vs. The United States. It is ordered by the Court that this cause be, and the same is hereby, passed.

56. William N. Hood, Appellant, vs. Moylan C. Fox, surviving Executor &c. and 68. John N. Whitney, Appellant, vs. Moylan C. Fox, surviving Executor &c. It is ordered by the Court that these causes be, and they are, hereby, passed, subject to the provision of section [illegible].

Ex parte: In the matter of A. S. Embler, Petitioner. This case was argued by Mr. A. S. Embler, in propria persona.

485. Max Cohen, Plff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. William Colton, of counsel for the plaintiff in error, and Mr. Assistant Attorney General

61. Henry K. Hilliard, Adm'r &c. vs. Thomas R. Hood, Executor &c. Appellant

The argument of this cause was commenced by Mr. William H. Dennis, of counsel for the appellant, and continued by Mr. John Sidney Hubbard Mr. John Selden, of counsel for the appellees, and Mr. Enoch Totten, of counsel for the appellant

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. Solicitor General Conrad it is ordered that Robert Hall, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

74. G. F. B. Howard, Plff in Error vs. The United States. In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the

adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed.

Per Mr. Chief Justice Taney

76. William A. Phillips, Plaintiff in Error, v. The Cherokee Nation of Indians, Colonel J. Harris, Principal Chief of the Cherokee Nation, and E. E. Starr, Treasurer of the Cherokee Nation. } In Error to the United States Court in the Indian Territory.

This cause having been called for hearing in its regular order, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Taney

61. Henry K. Millard, Adm'r &c., v. Thomas N. Wood, Executor of [illegible] } Reargument of this cause was concluded by Mr. Enoch Totten, of counsel for the appellant.

63. Mrs. Lillian M. Egan, Husband, &c., Plff in Error, vs. A. Hart, Def't in Error. This cause was submitted to the consideration of the Court on the record with leave to counsel to file printed briefs within ten days.

64. The Atlantic & Pacific R'R Co., Plff in Error, vs. Mary L. [illegible]. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. P. Britton and Mr. A. B. Browne, of counsel for the plaintiff in error, and Mr. George N. Smith, of counsel for the defendant in error.

69. The United States, Plff in Error, vs. The Chicago, Rock Island, & Pacific Railroad Co. This cause was argued by Mr. Solicitor General Conrad, of counsel for the plaintiff in error, and Mr. Robert Mather, of counsel for the defendant in error.

70. The Northern Pacific R'R Co., Plff in Error, vs. Leonard C. Colburn. This cause was argued by Mr. C. H. Bunn, of counsel for the plaintiff in error. No brief filed on behalf of the defendant in error.

71. The Old Jordan Mining & Milling Company, Plff in Error, vs. Societe Anonyme des Mines de Lexington. This cause was argued by Mr. L. D. Michener, of counsel for the plaintiff in error, and Mr. J. M. Wilson, of counsel for the defendant in error.

72. Lewis C. Carrick, Appellant, vs. Charles L. Hannaman. And

73. Lewis C. Carrick, Appellant, vs. Charles L. Hannaman. The argument of these cases was commenced by Mr. J. M. Wilson, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray — Associate
Henry B. Brown — Justices.
George Shiras, Jr.
Edward D. White

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Edwin St. Clair Thompson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

98. The Steam Yacht "Conqueror" &c., Appellant, v. Frederick H. Vanderbilt. On motion of Mr. Assistant Attorney General Whitney, of Counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, dismissed, subject to the provisions of Section 6 of Rule 16.

The United States, Appellant,
535. vs.
Charles L. Gilliat, Admr.

On motion of Mr. F. H. Nachell, of Counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

The Atlantic & Pacific R. R. Co., Appellant,
100. vs.
Robert Mingus.

On motion of Mr. A. B. Browne, of Counsel for the plaintiff in error,

It is ordered by the Court that this cause be, and the same is hereby, docketed

Charles M. Matthews and William C. Hill, Executors and Trustees of William W. Corcoran, Appellants,
vs.
Peter Herner, Sarah Maud Herner and George L. Campbell.

Appeal from the Court of Appeals of the District of Columbia.

This cause having been called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

79. J. M. Seales et al., Plffs in Error, vs. Charles Dillingham et al., Defts in Error. On motion of Mr. C. S. Thompson, of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby, passed to be placed at the head of the call for Monday next.

80. James S. Valk, Survivor &c., Appellant, vs. The United States et al. On motion of Mr. Assistant Attorney General Avery, of counsel for the appellees, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4 of Rule 36.

81. James L. Standley et al., Appellants, vs. Stephen Roberts, Sheriff of Mayes County, Cherokee Nation, Indian Territory, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

82. George F. Bingham, vs. Jeff in Dror, Peter Brown et al

On motion of Mr. F. D. McKenney of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed.

84. William R. Watkins, vs. Jeff in Dror, William [illegible],

The death of the plaintiff in error having been suggested, It is ordered by the Court that this cause be, and the same is hereby, passed

79. Lewis C. Karnick, vs. Appellant, Charles L. Hannaman, and

73. Lewis C. Karnick, vs. Appellant, Charles L. [illegible]

The argument of these causes was continued by Mr. J. M. Wilson of counsel for the appellant, and Mr. J. L. Rawlins, of counsel for the appellee, and concluded by Mr. J. H. [illegible] son, of counsel for the appellant.

75. Carlotta M. MacLeod et al, vs. Appellants Rose M. Taylor et al Appellees

This cause was argued by Mr. Henry E. Davis, of counsel for the appellants and Mr. William M. Ritchey, and Mr. Job Barnard and Mr. [illegible] of Counsel for the appellees.

Thursday October 8th 1891

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices

John H. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C.C. Beaman it is ordered that Williamson W. Fuller, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

90. The State of Washington, Appt, vs. M. L. Coovert
91. The State of Washington, Appt, vs. M. L. Coovert
92. The State of Washington, Appt, vs. M. L. Coovert
93. The State of Washington, Appt, vs. M. L. Coovert
94. The State of Washington, Appt, vs. M. L. Coovert
95. The State of Washington, Appt, vs. M. L. Coovert
The State of Washington, Appt, vs. M. L. Coovert
The State of Washington, Appt, vs. M. L. Coovert

Wednesday, October 24th 1866. Continued

consideration of the Court on the records and a printed argument by Mr. H. C. Jones of Counsel for the appellant and with leave to counsel for the appellee to file a printed statement in relation to the cause.

99. D. L. Thomas, vs. Wm. Frost & J. M. Lane, Orson Kent, and Henry E. Kelly, Partners as Lake Kent & Kelly. In Error to the Supreme Court of the Territory of Nebraska.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney

101. J. S. Noble et al, vs. Wm. Frost & S. M. Mitchell. In Error to the Supreme Court of the Territory of Nebraska.

This cause was submitted to the consideration of the Court on the printed and printed arguments by Mr. J. M. Chilton and Mr. A. A. Sibley, of Counsel for the plaintiffs in error, and Mr. Charles Hitchcock, of Counsel for the defendant in error.

Monday, October 19th, 1903. Continued.

102. The Panama Railroad Co., vs. Appellant, The Napier Shipping Company (Limited). On motion of Mr. E. F. Duncan, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of Section [illegible]

104. Henry M. Keelor, vs. Appellant, Edward Fitzgerald. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of Section [illegible].

105. The St. Louis & San Francisco Railway Company, vs. Plff in Error, Leonard Mathews. On motion of Mr. D. D. Duncan, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby passed to be heard with Case No. 115 [illegible]

83. George A. Fowler et al., vs. Plffs in Error, W. Warren Duncan et al. It is ordered by the Court that this cause be, and the same is hereby, passed to be placed at the head of the call for Thursday next.

88. The Richmond & Danville Ry Co., Plff in Error, vs. Charles Manlon, Admr &c. This cause was argued by Mr. A. D. Duncan, of counsel for the plaintiff in error and submitted on a printed argument by Mr. James G. Dudley, of counsel for the defendant in error.

89. Frederick Marshall, Appellants, vs. The Trustees of [illegible] This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. W. Wright, of counsel for the appellants, and Mr. H. H. Barnes, of counsel for the appellee.

103. Springville City, Plff in Error, vs. Perry A. Thomas et al. This cause was argued by Mr. J. L. Rawlins, of counsel for the plaintiff in error, and submitted by Mr. P. L. Williams, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 30th, 1885

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk

Proclamation being made the Court is opened.

530. The United States, Appellant, vs. Edward Kurtz. On motion of Mr. Solicitor General Conrad, leave is hereby granted the Clerk to issue the mandate in this cause.

547. The United States, Plaintiff in Error, vs. Henry Hewes. On motion of Mr. A. J. Rose, of counsel for the defendant, leave is hereby granted the Clerk to issue the mandate in this cause.

103. Springville City, Plaintiff in Error, vs. Robert Thurman. On motion of Mr. J. M. Wilson, of counsel for

Case No. 942, leave is hereby granted him to file a brief in this cause on or before Monday next.

108. The City of New Orleans &al. vs. The Citizens Bank of Louisiana — Appellants, On motion of Mr. Alexander Porter Morse in behalf of Counsel, It is ordered by the Court that this cause be, and the same is hereby passed.

109. The United States vs. Mitchell King — Appellants, On motion of Mr. Solicitor General Conrad, It is ordered by the Court that this cause be, and the same is hereby, passed.

110. Clarence E. Collins, vs. The State of New Hampshire — Plff in Error, On motion of Mr. ——— Steele, in behalf of Counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, to be argued with Cases Nos. 838, 838 and 884.

111. The Grand Lodge of the State of Louisiana, F. & A. Masons, vs. The City of New Orleans — Plff in Error, On motion of Mr. Alexander Porter Morse, in behalf of Counsel for the Defendant in Error,

the same is hereby passed.

112. Lewis Miller, Plff in Error, vs. The Cornwall Railroad Co. It is ordered by the Court that this cause be, and the same is, hereby continued until the next term, per stipulation of counsel.

115. The United States, Appellant, vs. Desiderio Gomez et al. and 116. The United States, Appellant, vs. Frank Crew et al. On motion of Mr. Solicitor General Conrad, It is ordered by the Court, that these causes be, and they are hereby, dismissed.

117. Lewis C. Rockwell, Plff in Error, vs. The Farmers' National Bank of Longmont. In Error to the Court of Appeals of the State of Colorado.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

113. Lewis M. Stone, Appellant, v. The United States et al. This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. H. B. Matthews, Mr. C. A. Keiglwin and Mr. S. Shellabarger, of counsel, for the appellant, and Mr. Assistant Attorney General Storey, of counsel for the appellees.

114. James H. DeVaughn et al., Appellants, v. Sarah H. Robinson et al. This cause was argued by Mr. H. O. Claughton, of counsel for the appellants, and Mr. J. M. Helm, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Burton W. Leigh, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington it is ordered that Thomas M. Fales, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

356. The United States, Plff in Error, vs. Martin F. McMahon. In Error to the United States Circuit Court of Appeals for the Second Circuit.

357. Martin F. McMahon, Plff in Error, vs. The United States.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, on writ of error and cross-writ, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of New York with directions to enter a new judgment in conformity with the opinion of this Court.

Per Mr. Justice Brown.

264. Octavia J. Parsons, Plff in Error, vs. Gustav Yongke, Treas. &c. Townsend & L. E. Hood. In Error to the District Court of Richland County, State of North Dakota.

This cause came on to be heard on the transcript of the record from the District Court of Richland

Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Justice Daniel

George M'Elroy, John H. Bland, Henry Hook and Thomas Stufflebeam, Plffs in Error, vs. The United States. } In Error to the District Court of the United States for the Western District of Arkansas.

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This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Arkansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the said District Court in this cause be, and the same are hereby reversed as to all the defendants; And that this cause be, and the same is hereby, remanded to the said District Court with directions to grant a new trial and for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Chief Justice Taney

556. William Dugald Stuart, Plaintiff in Error, vs. The City of Boston and the County of Hampshire. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

627. Abram H. Hendry et al., Appellants, vs. Ocean Steamship Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

629. The Merchants & Miners Transportation Company, Appellant, vs. The Norfolk & Western Railroad Co. et al. — On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

630. The Merchants & Miners Transportation Company, Appellant, vs. The Norfolk & Western Railroad Co. et al. — On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

552. The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, Plaintiff in Error, vs. The Long Island Loan & Trust Co., Executor &c. — It is now here ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed to the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

1119. The United States, Appellant, vs. Song Kim Ark. It is ordered by the Court that this cause be and the same is hereby restored to the docket for oral argument and assigned for the third Monday of January, 1897, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

1485. Max Cohen, Plff in Err. vs. The United States. In Error to the District Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Maryland, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed, and that this cause be, and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law.

Per Mr. Chief Justice Fuller

69. The United States, Plff in Err. vs. The Chicago, Rock Island & Pacific Railroad Co. It is ordered by the Court that this cause be and the same is hereby restored to

to counsel to submit same on the briefs already filed, or which may be filed, within thirty days hereafter.

(Per Mr. Chief Justice Fuller.

146. James B. Wilson, Plff in Error, vs. The United States. } In Error to the District Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed.

(Per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court would take a recess from Monday, November 16th to Monday, November 30th.

132. The United States, Appellant, vs. Prieto Martinez et al. } On motion of Mr. Solicitor General Conrad, It is ordered by the Court that this cause be, and the same is hereby, dismissed.

313. Elverton R. Chapman, Plff in Error, vs. The United States. } The motion to dismiss in this cause was sub-

ation of the Court on the record and printed arguments by Mr. Solicitor General Conrad, in support of the same, and Mr. George F. Edmunds and Mr. J. M. Wilson, in opposition thereto.

546. Miles C. Prather, Plff in Error, v. The United States. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Conrad, in support of the same, and Mr. H. E. Davis and Mr. J. M. Wilson, in opposition thereto.

534. The Interstate Commerce Commission, Appellant, v. The Detroit, Grand Haven & Milwaukee Railway Co. Mr. Solicitor General Conrad, of Counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

577. Dennis Davis, Plff in Error, v. The United States. Mr. Solicitor General Conrad, of Counsel for the defendant in error, submitted to the consideration of the Court the motion to advance this cause.

236. Arington A. Elgington vs. The United States. In Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Smith McPherson, Mr. A. H. Garland and Mr. R. C. Garland, of Counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error.

127. Frederick L. Manson vs. Charles C. Dinsmore. Appellant. On motion of Mr. W. A. Smith, of Counsel for the appellant it is ordered by the Court that this cause be, and the same is hereby, passed.

506. The United States, vs. Dixon N. Geringer. Appellant. Mr. F. C. Dewees, of Counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

125. The New York, New Haven & Hartford Railroad Co. vs. The People of the State of New York. Plff in Error. On motion of Mr. William H. Dennis, of Counsel for the defendant in error, it is ordered by the Court that this cause be, and the same is hereby, passed, subject

113. Lewis M. Stone, Appellant, vs. The United States et al. Mr. J. M. Wilson, of Counsel for the appellant, submitted to the consideration of the Court a motion to set aside the submission of this case and for leave to argue the same orally.

79. J. M. Scales and R. S. Scales, Plffs in Error, vs. Charles Dillingham, James Rinlon and Nelson S. Easton, Receivers of the Houston & Texas Central Railroad Company. In Error to the Court of Civil Appeals for the Fifth Supreme Judicial District of Texas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 16th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

105. The St. Louis San Francisco Ry Co., Plff in Error, vs. Leonard Blackburn. The Missouri Pacific Ry Co., Plff in Error, vs. [illegible] On motion of Mr. Percy Warner, of Counsel for the defendant in error in No. 105, It is or-

that this cause be passed until Wednesday next.

119. Charlotte Ewer, Plff in Error, v. The People of the State of New York. In Error to the Supreme Court of the State of New York.

It appearing to the Court that this cause has abated owing to the death of the plaintiff in error, Therefore, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

The Cleveland Cincinnati, Chicago & St. Louis Railway Co., Plff in Error, v. Millard F. [illegible] On a certificate from the United States Circuit Court of Appeals for the Seventh Circuit.

It is now here ordered by this Court that this cause be, and the same is hereby, stricken from the docket.

Per Mr. Chief Justice Fuller.

121. The Western Union Telegraph Co., Plff in Error, v. [illegible] Nicholson. In Error to the Supreme Court of the State of Georgia.

This cause having been called for hearing in its

this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

See Mr Chief Justice Taney

Jacob Henry Kelly et al. vs. Samuel G. Cornwell, Manning Gardner &c. Appellants,

This cause was submitted to the consideration of the Court with leave to print the record and file briefs on or before the 3d instant.

194. Jack Davis vs. The United States, Plff in Error,

In Error to the District Court of the United States for the Western District of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas, and the Plaintiff in error having been three times duly called by the Marshal to come into Court and prosecute his writ of error, and failing to appear it is, thereupon, in pursuance of the [illegible] of this Court, and on the motion of Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed;

remanded to the said District Court to be proceeded in according to law and justice.

(Per Mr. Chief Justice Taney.)

126. Simeon Rayner, vs. Appellant and H. S. Robertson et al. It is ordered by the Court that this cause be, and the same is hereby dismissed.

123. Horace M. Cake et al., vs. Appellants, Martha V. Mehun, Executrix. This cause was argued by Mr. H. L. Cole, of counsel for the appellants, and Mr. J. J. Darlington, of counsel for the appellee.

125. A. J. McCullough, vs. Appellant, The Commonwealth of Virginia. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Richard L. Maury, of counsel for the plaintiff in error, and Mr. R. Taylor Scott, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. E. Dodge it is ordered that W. S. Monteith, Esquire, of Columbia, State of South Carolina, and Ogden Hiles, Esquire, of Salt Lake City, State of Utah, be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

No. 453. The United States, Appellant, v. John C. Delaney. This cause was submitted to the consideration of the Court, pursuant to the 40th rule, on the record and printed arguments by Mr. Assistant Attorney

Counsel for the appellant, and Mr. John C. Chaney, Mr. W. W. Dudley and Mr. L. T. Michener, of Counsel for the appellee.

136. The Gulf, Colorado & Santa Fe Railway Company, vs. N. H. Ellis, by next friend, W. H. Ellis. In Error to the Supreme Court of the State of Texas.

This cause was submitted by the consideration of the Court on the record with leave to Counsel for the plaintiff in error to file brief within one week. No Counsel appeared for the defendant in error.

137. The Texas & Pacific Railway Company, vs. Elizabeth Nolan, for herself, and as next friend and natural guardian of Minnie Nolan, Simon Nolan, William Nolan and Maurice Nolan, minors. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

Mr. Justice Jackson took his seat.

131. Jane M. McKee, in her own right, & as Executrix &c, et al., vs. Appellant. The United States

This cause was argued by Mr. H. D. Monteith, of counsel for the appellant, and Mr. Assistant Attorney General Dodge, of counsel for the appellee.

110. James A. Glover et al., vs. Appellants, The United States

This cause was argued by Mr. James Lowndes, of counsel for the appellants, and Mr. H. D. Monteith, of counsel for certain interested parties.

139. Ellen Wilson, vs. Appellant, Fred. J. Kiesel et al

This cause was argued by Mr. Ogden Hoffman, of counsel for the appellant. No counsel appeared for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November 4th, 1896

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Abbot R. Heywood, Esquire, of Ogden, State of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

113. Lewis M. Stone, Appellant, vs. The United States. On consideration of the motion to set aside the submission of this cause and for leave to argue the cause orally, It is now here ordered by the Court that said motion be, and the same is hereby, granted, the case to be heard after the

1142. Mile Elmore et al., vs. The Vicksburg, Shreveport & Pacific Railroad Company. In Error to the Supreme Court of the State of Louisiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, this, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

1143. James A. Shreve, J. N. Perkins, Benjamin Wells, et al., vs. Walter S. Cheesman and George W. Clayton. In Error to the Circuit Court of the United States for the District of Colorado.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, this, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

1144. John Millon Carothers, Plff in Error, vs. Jesse Wager et al. This cause was submitted to the consideration of the Court on the record and printed argument by Mr. A. F. Dillon and Mr. A. B. Browne, of counsel for the defendants in error, with leave to counsel for the plaintiff in error to file a brief, and to counsel for the defendants in error to file a reply thereto within five days thereafter.

1145. The Northern Pacific Railroad Company, Plff in Error, vs. Samuel Maclay, Margaret A. Maclay, Gilbert M. Hitchman, and James Hitchman. In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called for hearing in its regular order, and a motion by counsel for the plaintiff in error to dismiss having been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. [illegible]

1135. William H. Moses et al., Administrators &c., Plff in Error, vs. The Houston [illegible]. On motion of Mr. H. L. Cole, of counsel for the plaintiffs in error, It is ordered by the

be and the same is hereby passed, subject to the provisions of section [illegible]

Peter Wilson,
133. v. Appellant,
Paul J. Hazel et al.

On motion of Mr. S. F. Hayward of counsel for the appellee, it is hereby granted to file a printed brief herein.

The New Orleans Water Works Company,
134. v. Appellant,
The City of New Orleans

This cause was argued by Mr. F. R. Beckwith, of counsel for the appellant, and Mr. S. L. Gilmore and Mr. H. J. Leovy, of counsel for the appellee.

Lewis M. Stone,
113. v. Appellant,
The United States et al.

The argument of this cause was commenced by Mr. C. A. Keigwin, of counsel for the appellant, continued by Mr. [illegible] Attorney General Howry, of counsel for the appellees, and concluded by Mr. J. M. Wilson, of counsel for the appellant.

The Texas & Pacific Railway Co.,
136. v. Writ in Error,
T. N. Sneed,

This cause was submitted to the consideration of the Court on the

in error to file brief within one week. No counsel appeared for the defendant in error.

The St. Louis & San Francisco Railway Co. vs. Plff in Error,
105. Leonard Matheus

It is ordered by the Court that Counsel for the plaintiff in error have leave to file an additional brief herein within one week and that Counsel for defendant in error have three days thereafter to file a reply thereto

The St. Louis & San Francisco Railway Co. vs. Plff in Error,
105. Leonard Matheus.

The Missouri Pacific Ry Co. vs. Plff in Error,
118. J. C. Simmons, Admr &c

These cases were argued by Mr. D. E. Duncan, of Counsel for the plaintiffs in error, and Mr. Acceptance of Counsel for the defendant in error in Case No. 105, and submitted on a printed argument by Mr. H. M. Williams, of Counsel for the defendant in error in No. 118.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray,
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

The Chicago, Kansas & Nebraska Railway Co., Plaintiff in Error, vs. Judson B. Van Cleave. In Error to the Supreme Court of the State of Kansas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

111. The Savannah Florida & Western Railway Co., Appellant, v. The Florida Central & Peninsular Railroad Co.

This cause was argued by Mr. John E. Hardridge, of counsel for the appellant, and Mr. C. M. Cooper, of counsel for the appellee.

114. C. S. Night, Plaintiff in Error, v. The United States.

The argument of this cause was commenced by Mr. Hugh L. Bond, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court announced

235. The Wabash Western Railway Co., Plff in Error, vs. Joseph [illegible]

Error to the Supreme Court of the State of Illinois.

No. 235 was submitted to the consideration of the Court on the record, and printed arguments by Mr. Alfred Russell, of Counsel for the plaintiff in error, and Mr. Edwin H. Conely, of Counsel for the defendant in error.

283. Illinois Cen. R. R. Co., Appellant, vs. Henry Bohl, Agent of the Second National Bank of Xenia, Ohio.

Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

(Per Mr. Chief Justice Waite)

C. S. Wright,
Plff in Error,
v.
The United States.
No. 494.

The argument of this cause was continued by Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error, and concluded by Mr. Hugh L. Bond, of Counsel for the plaintiff in error.

The Chicago & Northwestern Railway Co.,
Plff in Error,
v.
The City of Chicago.
No. 11.

The Chicago, Burlington & Quincy Railroad Co.,
Plff in Error,
v.
The City of Chicago.
No. 129.

The Chicago Burlington & Quincy Railroad Co.,
Plff in Error,
v.
The City of Chicago.
No. 130.

The argument of these cases was commenced by Mr. John J. Herrick, of Counsel for the plaintiff in error in Nos. 129 & 130, and continued by Mr. E. E. Osborn, of Counsel for the plaintiff in error in No. 11, and by Mr. John S. Miller, of Counsel for the defendant in error.

Proclamation being made, the Court is adjourned

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. L. H. Metzinger it is ordered that Elisha S. Field, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Thomas Wilson it is ordered that Charles A. Bishop and Clinton L. Monroe, Esquires, of Des Moines, State of Iowa, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Joseph H. Choate it is ordered that William King Richardson, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick P. Fish it is ordered that William B. Vanzie, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Central Pacific Railroad Company,
Appellant,
v.
The United States
46.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

(Per Mr. Justice Bradley.)

Sandy White,
Plaintiff in Error,
v.
The United States
375.

In Error to the District Court of the United States for the Northern District of Alabama.

of the record from the District Court of the United States for the Northern District of Alabama, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

(Per Mr. Justice Brewer.)

459. The Press Publishing Company, Plaintiff in Error, v. Harriet Weber. In Error to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Justice Gray.)

506. The United States, Appellant, v. Dixon N. Harlinger. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied.

(Per Mr. Chief Justice Fuller.)

The Interstate Commerce Commission, Appellant, v. The Detroit Grand Haven & Milwaukee Railway Co. 534. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of January, 1897, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Dennis Davis, Appellant, v. The United States. 577. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby granted and the cause assigned for argument on the third Monday of January, 1897, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

The State of Washington, Appellant, v. W. L. Crowell. 90. Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by counsel. On consideration whereof, it

Court that the order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court, with directions to discharge the writ and dismiss the petition.

Per Mr. Chief Justice Fuller.

91. The State of Washington v. M. L. Covert. Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the writ and dismiss the petition.

Per Mr. Chief Justice Fuller.

92. The State of Washington, Appellant, v. M. L. Covert. Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of

States for the District of Washington, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to discharge the writ and dismiss the petition.

Per Mr. Chief Justice Waite

93. The State of Washington, Appellant, vs. M. L. Covert. Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the writ and dismiss the petition.

Per Mr. Chief Justice Waite

94. The State of Washington, Appellant, vs. M. L. Covert. Appeal from the Circuit Court of the United States for the District of Washington.

record from the Circuit Court of the United States, for the District of Washington, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, reversed, with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the writ and dismiss the petition.

Per Mr. Chief Justice Fuller

The State of Washington, Appellant, v. M. L. Bercut

Appeal from the Circuit Court of the United States for the District of Washington

No. 95.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the writ and dismiss the petition.

Per Mr. Chief Justice Fuller

96. The State of Washington, Appellant, vs. M. L. Cornwall. Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to discharge the writ and dismiss the petition.

Per Mr. Chief Justice Fuller.

97. The State of Washington, Appellant, vs. M. L. Cornwall. Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court

dismiss the petition.

Per M. Chief Justice Fuller.

361. The Southern Pacific Railroad Co. et al., Appellants, vs. The United States. On motion of Mr. Joseph H. Choate, of counsel for the appellants, It is ordered by the Court that this cause be postponed to the foot of the call for to-day.

645. The Louisville Trust Co., Appellant, vs. The Louisville, New Albany & Chicago Railway Co. The petition for writs of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit was submitted to the consideration of the Court on a printed argument by Mr. G. H. Kretzinger and Mr. E. B. Field, in support of the same.

646. The Louisville Banking Co., Appellant, vs. The Louisville, New Albany & Chicago Railway Co.

100. The Atlantic & Pacific Railroad Co., Appellant, vs. Allen Sinclair & Robert Mentzer. On motion of Mr. Assistant Attorney General Dickinson, It is ordered by the Court that the motion to dismiss the appeal herein, and the same is hereby, assigned for ar-

the cases heretofore assigned for hearing.

634. Edwin Norton et al., Appellants, vs. Milton A. Wheaton. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on printed arguments by Mr. N. N. Law, Mr. John A. Miller, Mr. John A. Munn, Mr. Edmund Adcock, and Mr. Edward S. Evarts, in support of the same, and Mr. M. A. Wheaton, in propria persona, in opposition thereto.

615. Caroline M. Forsythe, Appellant, vs. The City of Hammond et al. Mr. A. B. Browne, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

624. The Chicago, Milwaukee & St. Paul Railway Company, Plaintiff in Error, vs. Elizabeth L. Grant, Executrix, James D. Grant, Executor, of James Grant, deceased, et al. In Error to the Supreme Court of the State of Iowa.

This cause having been called to the attention of the Court by Mr. Charles A. Bishop, of counsel for the defendants in error, and a stipulation

fore, in pursuance of said stipulation, It is now
here ordered and adjudged by this Court that,
the writ of error in this cause be, and the same
is hereby, dismissed

Per Mr. Chief Justice Fuller.

631. Charles H. Bauman et al., Appellants, vs. J. W. Ross et al. Commissioners &c.

632. J. W. Ross et al. Commissioners &c., Appellants, vs. Charles H. Bauman et al.

633. Butler F. Abbot, Appellant, vs. J. W. Ross et al. Commissioners &c.

634. J. W. Ross et al. Commissioners &c., Appellants, vs. Charles H. Bauman et al.

On motion of Mr. Nathaniel Wilson, of counsel, It is ordered by the Court that these cases be, and they are hereby re-assigned for argument on Monday, December 7th next, with the cases heretofore assigned for that day.

11. The Chicago & Northwestern Railway Company, Plff in Error, vs. The City of Chicago.

129. The Chicago, Burlington & Quincy R.R. Co., Plff in Error, vs. The City of Chicago.

130. The Chicago, Burlington & Quincy R. R. Co., Plff in Error, vs.

Reargument of these cases was continued by Mr. John S. Miller, of counsel for the defendant in error, and concluded by Mr. John J.

counsel for the plaintiff in error in this case.

83. George A. Fowler et al., Plffs in Error, vs. Simeon Lemon et al. This cause was argued by Mr. E. F. Thompson, of counsel for the plaintiffs in error, and submitted on a printed argument by Mr. L. H. Rich, of counsel for the defendants in error.

344. The United States, Appellant, vs. The American Bell Telephone Company et al. On motion of Mr. Causten Browne, of counsel for the appellant, it is ordered by the Court that nine hours be allowed for the argument of this cause.

344. The United States, Appellant, vs. The American Bell Telephone Company et al. The argument of this cause was commenced by Mr. R. S. Taylor, of counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock M.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
David J. Brewer
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

344. The United States, Appellant, v. The American Bell Telephone Company et al. The argument of this cause was continued by Mr. R. V. Taylor, of counsel for the appellant, and Mr. Frederick P. Fish, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
David J. Brewer,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George L. Roberts it is ordered that James J. Storrow, Jr., Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic P. Fish it is ordered that Charles Neave, Esquire, of Boston, State of Massachusetts, and Howard C. Lewis, Esquire, of Schenectady, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

314. The United States, Appt, vs. The Union Pacific Ry Co, et al.
321. The United States, Appt vs. The Kansas & Pacific R. R. Co. et al.
322. The United States Appt, vs. The St. Paul Minneapolis & Manitoba Co. et al.

It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument next after case No. 447.

By the Chief Justice Fuller

314. The United States, Appellant vs. The American Bell Telephone Company et al.

The argument of this cause was continued by Mr. Frederick P. Fish and Mr. Joseph H. Choate, of Counsel for the appellees, and concluded by Mr. Carleton Browne, of Counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf, by Mr. J. M. Dickinson, it is ordered that E. S. Heller, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

67. The United States, Appellant, vs. The Trans-Missouri Freight Association et al.

On motion of Mr. Assistant Attorney General Dickinson, it is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, the 30th instant, after the cases heretofore assigned for that day.

315. The United States, Appellant, v. The Oregon & California Rail-road Company et al.

Reargument of this cause was commenced by Mr. Assistant Attorney-General Dickinson, of Counsel for the appellant, continued by Mr. Hubley Ashton and Mr. Joseph H. Choate, of Counsel for the appellees, and concluded by Mr. George H. Williams, of Counsel for the Defendant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. J. Roche it is ordered that Robert Jones Monaghan, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court and he was severally accordingly.

495. Albert L. France et al., Plaintiffs in Error, v. The United States. Argument of this cause commenced by Mr. A. H. Goldsmith, of Counsel for the Plaintiffs in error, continued by Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error

Plaintiffs in error.

E. H. Agnew,
vs. } Writ in Error,
The United States.

417.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Elbridge R. Foster, of counsel for the plaintiff in error, and Mr. Solicitor General Conrad, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Birney it is ordered that Nelson J. Dungan, Esquire, of Somerville, State of New Jersey be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

355. Fallbrook Irrigation District and Wm. Mathew Tomlinson as Collector of said Fallbrook Irrigation District, Appellants vs. Wm. Charles Bradley and Minnie King Bradley, his wife, Appellees. Appeal from the Circuit Court of the United States for the Southern District of California.

of the record from the Circuit Court of the United States for the Southern District of California and was argued by Counsel. On consideration whereof, It is ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

Dissenting:
Mr. Chief Justice Fuller and
Mr. Justice Field.

The United States,
Appellant,
vs.
William J. Vedder, Administrator of James R. Vedder, deceased.

No. 114. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed; And that this cause be, and the same is hereby, remanded to the said Court of Claims with direction to dismiss the petition.

Per Mr. Justice Brown.

took no part in the decision of this case.)

13. William Pregon, Plff in Error, vs. The Board of Directors of the Modesto Irrigation District. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

(Per Mr Justice Brewer.)

Dissenting:
Mr Justice Harlan,
Mr Justice Gray and
Mr Justice Brown.

381. John Brown, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

Per Mr. Justice Gray.

Dissenting:
Mr. Justice Brewer,
Mr. Justice Brown and
Mr. Justice Peckham.

The Wisconsin Central Railroad Company, Appellant, vs. The United States. } Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is, hereby, affirmed.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Peckham.

615. Caroline M. Forsythe, Appellant, vs. The City of Hammond et al. } On consideration of the motion to advance this cause, it is now

and the same is hereby granted, and the case assigned for argument on the second Monday of January, 1897, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

639. Edwin Norton et al., Appellants, v. Milton H. Wheaton. On consideration of the petition of the appellants herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, it is now here ordered by the Court that cause be shown before this Court on the second Monday of January, 1897, why a writ of certiorari should not issue to bring up the evidence of the said United States Circuit Court of Appeals herein so that it may be determined whether upon an appeal from an interlocutory decree granting a temporary injunction in a patent case, the Circuit Courts of Appeals can render or direct a final decree upon the merits.

Per Mr. Chief Justice Fuller.

645. The Louisville Trust Company, Appellant, v. The Louisville, New Albany & Chicago Railway Company. And The Louisville Banding Company, Appellant, v. 646. On a petition for writs of certiorari to the United States Circuit Court of Appeals for the

Chicago Railway Company

On consideration of the petition for writs of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be and the same is hereby granted.

Per Mr. Chief Justice Fuller

The State of Wisconsin ex rel. John R. Ballgett, Plff in Error, vs. Robert G. Siebecker, Circuit Judge of the Ninth Judicial Circuit of the State of Wisconsin.

8. In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

Joseph T. Hill, Plff in Error, v. John Corcoran. } In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

403. Boyden Power Brake Co. et al., Appellants, v. George Westinghouse, Jr. et al.

426. George Westinghouse, Jr. et al., Appellants, v. Boyden Power Brake Co. et al.

It is ordered by the Court that these cases be, and they are hereby, restored to the docket for re-argument.

Per Mr. Chief Justice Fuller.

652. Noble L. McGinnis, for himself, and for the use of Willard Gurley and Lloyd T. Belt, Appellants, v. The United States.

Mr. Solicitor General Conrad, of counsel for the Appellee, having filed in open Court the following Certificate, to wit

Noble L. McGinnis, for himself
and for the use of J. Ward Gurley
and Lloyd S. Kent

No. 18,464

vs.

The United States

I certify that on the second day of March, 1892,
at a Court of Claims held in the City of Washington
M. Small, Attorney for Claimant presented an
application for appeal to the Supreme Court
of the United States filed March 2, 1892, from the
judgment of the Court of Claims entered in
the above entitled cause in favor of the de-
fendants dismissing the petition on the 8th
day of February A.D. 1892, and it was or-
dered that the appeal be allowed as prayed
for. By the Court.

In testimony whereof I have
hereunto set my hand and af-
fixed the seal of said Court
(Seal) this 31st day of November A.D. 1896.

John Randolph,
Asst Clerk U.S. Claims.

moved the Court to docket and dismiss this
cause, pursuant to the 5th rule; and it appear-
ing to the Court that the appellant has failed
to have his cause filed and docketed in
conformity with the rules of this Court, It is
now here ordered and adjudged by this Court
that this appeal from the Court of Claims be
and the same is hereby docketed and dismissed

remanded to the said Court of Claims to be proceeded in according to law and justice.
Per Mr. Chief Justice Fuller.

25. William G. Ford et al., Appellants, v. The Delta & Pine Land Co. et al. — Mr. R. B. Edmondson, in behalf of Counsel for the appellants, moved the Court for leave to file a supplemental brief herein within ten days. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Hyp. The American Sugar Refining Company, Appellant, v. The Steamship J. H. Brooks, — The petition for a certiorari to bring up the entire record, in this cause was submitted to the consideration of the Court on printed arguments by Mr. Harrington Putnam, in support of the same, and Mr. J. Parker Kirlin, in opposition thereto.

109. The United States, Appellant, v. Mitchell King — The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. P. Kennedy Bryan, in support of the same, and Mr. Assistant Attorney General Dodge, in opposition thereto.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,

Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Harmon it is ordered, that Miller Outcalt, Esquire, and Frederick Nieglestein, Esquire, of Cincinnati, State of Ohio, be admitted to practice as attorneys, and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Felton M. Robbins it is ordered that J. J. Burt, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn

On motion first made to the Court in this behalf by Mr. John F. Dillon it is ordered that John M. Dillon, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was accordingly so.

On motion first made to the Court in this behalf by Mr. Joseph K. McCammon it is ordered that James A. Hayden, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was accordingly so.

Jane M. McKee, in her own right, and as Executrix of Henry McKee, deceased, et al., Appellants, v. The United States. Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley.

Monday, November 24th, 1879.

George A. Fowler, Charles F. Hutchings, Maria Fowler, & Frederick T. Trouton, Executors of the last will & testament of George Fowler deceased,

vs. } In Error to the Supreme Court of the State of Illinois.

S. Warren Limeon & Lorenzo D. Limeon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Harlan.

No. 473.

The United States, Appellant, vs. John C. Dibrell. } Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Harlan.

Joseph Keane and Margaret Keane, impleaded with The First National Bank of Rhinelander, Wisconsin,
vs. Appellants,
The United States

Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

11.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court, with directions to dismiss the bill

Per Mr. Justice Peckham

J. S. Noble and H. B. Hare, Partners under the name of Noble & Hare,
vs. Plaintiffs in Error,
S. M. Mitchell

In Error to the Supreme Court of the State of Alabama.

101.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment

the same is hereby affirmed with costs.

Per Mr. Justice White.

Dissenting:
Mr. Justice Harlan.

64. The Atlantic & Pacific Railroad Company, Plff in Error, vs. Mary J. Land. In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of California.

Per Mr. Justice White.

446. Pleasant Draper, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the District of Montana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Montana, and was

It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for proceedings in conformity with the opinion of this Court.

Per Mr. Justice White.

The Prairie State National Bank of Chicago, Illinois, Appellant,
vs.
The United States.

Appeal from the Court of Claims.

The United States, Appellant,
vs.
Charles A. Hibberd and Charles Sundberg & Company.

This cause came on to be heard on the transcript of the record from the Court of Claims, on separate appeals, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgments of the said Court of Claims in this cause be, and the same are hereby, affirmed.

Per Mr. Justice White.

James S. Glover, Catherine S. Glover and Margaret A. Glover Adl'x, Appellants, vs. The United States. (Appeal from the Court of Claims.

1140.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Mr. Justice Nelson

Arthur D. McClellan, Plff in Error, vs. George H. Chipman, Assignee in Insolvency of the joint and separate estate of Dudley Hall and Dudley C. Hall, Copartners as Dudley Hall & Co. In Error to the Superior Court of the State of Massachusetts.

35.

This Cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by Counsel. On Consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, Affirmed with Costs.

The Traders National Bank
vs.
George H. Chipman, Assignee in insolvency of the joint and separate estate of Dudley Hall and Dudley C. Hall, Copartners as Dudley Hall & Co.

In Error to the Supreme Judicial Court of the State of Massachusetts.

36

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice [illegible]

Emma J. Gonzales,
vs.
E. H. French et al.

Appellant,

Appeal from the Supreme Court of the Territory of Arizona.

34.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice [illegible]

Monday, November 26th, 1877. Continued.

The United States,
Appellant,
vs.
Alfred A. Elliott, William Elliott, Charles Elliott et al.
Appeal from the Court of Claims.

37.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Mr. Justice Strong delivered the opinion of the Court.

Eugene M. Cragin and Nathan A. Cottrell,
Plaintiffs in Error,
vs.
Henry C. Bigelow and A. P. Henderson.
In Error to the Supreme Court of the Territory of Utah.

53.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

55. The Citizens Bank of Louisiana, Appellant, vs. Clifton Cannon, Sheriff of Iberville Parish, et al. Appeal from the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed in conformity with the opinion of this Court.

(Sec'd M. Justice Wayne.

336. Arington A. Elgington, Plff in Error, vs. The United States. In Error to the District Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded

aside the verdict and award a new trial.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Brown.

The Central Railroad and Banking Company of Georgia, and H. M. Comer and A. Romero Keyes, as Receivers thereof, Appellants, vs. William A. Wright, Comptroller General of the State of Georgia. Appeal from the Circuit Court of the United States for the Southern District of Georgia.

300.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown.

The Old Jordan Mining and Milling Company, Plaintiff in Error, vs. Societe Anonyme de Mines de Lexington. In Error to the Supreme Court of the Territory of Utah.

71.

This cause came on to be heard on the transcript,

of Utah, and was argued by Counsel. In consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

(Per Mr. Justice Brown.)

(Mr. Justice Peckham was not present at the argument and took no part in the decision of this case.)

Horace M. Cake, William N. Moses, Henry C. Moses and Arthur C. Moses, Appellants, vs. Martha V. Mohun, Executrix of the last will of Francis B. Mohun, deceased. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brown.)

Monday, November 9th, 1891

114. John Millon Carothers, Plff in Error, vs. Isaac Mayer et al Defendants. In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Justice Brown.)

113. Lewis M. Stone, Appellant, vs. The United States and The Cheyenne and Arapahoe Indians. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

(Per Mr. Justice Brewer.)

Monday, November 20th, 1893

343.	Charles H. Acers vs. The United States	In Error to the District Court of the United States for the Western District of Arkansas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Arkansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice Shiras.

70.	The Northern Pacific Railroad Company, vs. Leonard P. Colburn,	In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Brewer.

Monday November 26th 1894 Continued

1. The Missouri Pacific Railway Company vs. In Error to the Supreme Court of the State of Nebraska
The State of Nebraska ex rel. The Board of Transportation of the State of Nebraska

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Gray

47. Charles Haener vs. In Error to the United States Circuit Court of Appeals for the Fifth Circuit
The Texas Pacific Railway Company

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United State

Circuit Court of Appeals in this cause be, and the same is hereby, reversed with Costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Texas with directions to set aside the verdict and to order a new trial.

(Per Mr. Justice Lamar.)

The Leavind-White Coal Mining Company, Appellant, v. The Steamship "Kate," her engines &c., J. H. Ardley, Claimant. Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

106.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit and was argued by Counsel. On consideration whereof, It is the Opinion of this Court that the decree of the District Court of the United States for the Southern District of New York in this cause should be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the said District Court.

(Per Mr. Justice Moody.)

1894 The New Orleans Water Works Company, v. The City of New Orleans. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

1894 Cue Roux v. The United States. Writ of Error to the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

Per Mr. Justice Harlan.

H. B. Grimes Dry Goods Company, Plff in Error, vs. John Malcolm and Paul, Maples, Trustees. | In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

10.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States Court in the Indian Territory.

Per Mr. Justice Harlan.

The Chicago & Northwestern Railway Company, Plff in Error, vs. The City of Chicago. | In Error to the Supreme Court of the State of Illinois.

11.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

139. Peter Nilson, Appellant, vs. Fred. J. Kiesel, John C. Anderson, and John P. Commins. Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree appealed be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the Supreme Court of the State of Utah.

Per Mr. Chief Justice Waite

513. Everton R. Chapman, Plaintiff in Error, vs. The United States. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and on a motion to dismiss which was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite

Monday, November [illegible]

546. Hilder C. Prather, Pltf in Error, vs. The United States. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

544. Lewis Perrine and Harriet Addie Slack Perrine, Pltfs in Error, vs. Mary Kemble Slack. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

225.	The Wabash Western Railway, vs. Joseph Flannigan	On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgments of the said United States Circuit Court of Appeals and Circuit Court of the United States for the Eastern District of Michigan in this cause be, and the same are hereby reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial, sustain the motion to set aside the service of the declaration and rule to plead, and dismiss the action.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Brewer and Mr. Justice Peckham.

460.	National Accident Society vs. Fannie Spence	On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on certificate from the United States Circuit Court of Appeals

to the Sixth Circuit, and was argued by Counsel.
On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Brewer and Mr. Justice Peckham.

Henry K. Willard, Administrator of the Estate of Frederick L. Christmas, deceased, Appellant
vs. } Appeal from the Court of Appeals of the District of Columbia.
Thomas N. Wood, Executor of the last will and testament of William W. Wood, deceased, Thomas B. Bryan

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel.
On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

No. The United States, Appellant, vs. Pinkett Long. Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

No. The American Sugar Refining Company, Appellant, vs. The Steamship "T. P. Bowers" &c. On consideration of the petition for a writ of certiorari to bring up the entire record in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Waite.

No. The Western Union Telegraph Company, Plaintiff in Error, vs. The State of Indiana. Mr. Judson Harmon, in behalf of counsel for the defendant in error, submitted to the consideration

626. Hoke Smith, Secretary of the Department of the Interior, et al., vs. Appellants, Jefferson Raynolds et al.

Mr. Solicitor General moved to advance this cause.

275. The Oregon Short Line & Utah Northern Railway Co., vs. Appellant, The Northern Pacific Railroad Company.

Mr. John F. Dillon, of counsel for the appellant, submitted to the consideration of the Court a motion to dismiss this appeal pursuant to a stipulation of counsel for the respective parties.

284. Charles H. Nordstrom, vs. Plaintiff in Error, The State of Washington.

On motion of Mr. James Hamilton Lewis, of counsel, for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument at the foot of the call for to-day.

600. The Louisville Trust Company, Trustee, vs. Appellant, The City of Cincinnati,

Petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the

of the Court on printed arguments by Mr. St. John Boyle, Mr. Asst. Atty. Gen. Humphrey, Mr. George M. Dove, and Mr. E. J. Ferguson, in support of the same; and Mr. J. D. Brennan and Mr. Frederick Nolenstein, in opposition thereto.

663. Joseph E. Doherty, Appellant, v. Clarence M. Knowlton. Mr. E. C. Johnson, of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"Supreme Judicial Court of the State of Maine
for the County of Waldo.

I, Preston Hadlin, Clerk of the said Court for the County of Waldo, do hereby certify that in a certain cause pending in said Court, wherein Clarence M. Knowlton, of Belfast, in the County of Waldo, was plaintiff in review, and Joseph E. Doherty, of Boston, in the County of Suffolk, Commonwealth of Massachusetts, was defendant in review, a final judgment was rendered by said Court on the thirtieth day of April, A. D. 1895, in favor of the said Clarence M. Knowlton and against the said Joseph E. Doherty, and that on the 19th day of September, A. D. 1896, said Joseph E. Doherty sued out a writ of error to said Supreme Judicial Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I

(Seal) and affix the seal of said Court, at Bangor, this 30th. day of November, A.D. 1896.

Sileston Haskin, Clerk

641. 443. 476.

moved the Court to docket and dismiss this cause pursuant to the 4th rule; and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed, in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Judicial Court of the State of Maine be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Judicial Court to be proceeded in according to law & justice.

Per Mr. Chief Justice Fuller.

515. J. D. Adams, Plff in Error, vs. The State of Texas. Mr. A. B. Browne, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to prosecute this cause in forma pauperis, and that the record be printed at the public expense.

527. N. S. Swenson, Plff in Error, vs. Russell Sage, Assignee. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record.

of Counsel for the plaintiff in error, and Mr. A. P. Dutton and Mr. A. B. Browne, of Counsel for the defendant in error.

Thomas Allen
vs. } In Error,
The State of Georgia

Mr. A. B. Browne, in behalf of Counsel, submitted to the consideration of the Court a motion to announce this cause

Boyden Power Brake Co. et al,
vs. } Appellants,
George Westinghouse, Jr. et al.

George Westinghouse, Jr. et al,
vs. } Appellants,
Boyden Power Brake Co. et al.

Mr. Hector T. Fenton, of Counsel for Boyden Power Brake Co. et al submitted to the consideration of the Court a motion to fix a day for the reargument of these causes.

Jacob Henry Mentz, John P. Robinett & Jacob Henry Mentz, Junior, as Mentz, Hintz & Co.,
vs. } Appellants,
Samuel L. Cornwell, surviving partner of the late firm of S. L. Cornwell & Son.

Appeal from the Court of Appeals of the District of Columbia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript

Monday, November 30th, 1891. Continued.

10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Jacob Henry Mentz et al., Appellants, v. Samuel L. Cornwell et al. — On motion of Mr. E. H. Thomas, of counsel for the appellee, leave is hereby granted, the Clerk to issue the mandate in this cause.

592. L. L. Rosencrans, v. The United States. — On motion of Mr. S. S. Burdett of counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on the second Monday of January, 1892.

555. The Warner Valley Stock Co., Appellant, v. Noble Smith, Secretary of the Interior et al. — On motion of Mr. J. K. McClennon leave is hereby granted him to file a printed brief herein.

310.
311.
319.
643.
343.

J. S. Churchill, Attorney General, et al., Appellants, vs. Oliver Ames et al. — Mr. Frederic D. McKenney, in behalf of Counsel, submitted to the consideration of the Court a motion to fix a day for the reargument of these cases.

J. S. Churchill, Attorney General, et al., Appellants, vs. George Smith et al. — Mr. Frederic D. McKenney, in behalf of Counsel, submitted to the consideration of the Court a motion to fix a day for the reargument of these cases.

J. S. Churchill, Attorney General, et al., Appellant, vs. Henry L. Higginson et al. — Mr. Frederic D. McKenney, in behalf of Counsel, submitted to the consideration of the Court a motion to fix a day for the reargument of these cases.

Francisco Gonzales y Borrego et al., Appellants, vs. William P. Cunningham, Sheriff. — On motion of Mr. Solicitor General, It is ordered, that the submission of the motion to dismiss or affirm herein be postponed for one week.

J. A. Lineeum, Plaintiff in Error, vs. The United States. — In Error to the District Court of the United States for the Northern District of [illegible]

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 8th rule of this Court now here ordered and adjudged by this Court that the writ of error

dismissed.

Per Mr. Chief Justice Fuller.

319. The United States, Appellant, vs. The Union Pacific Railway Co., et al

It is ordered by the Court that the argument of this case be postponed until after the argument of Nos. 321 and 322.

321. Charles A. Gregory, Appellant, vs. John C. Kemp Van Ee

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Russell Gray in support of the same, and Mr. Francis H. Brooks, in opposition thereto.

321. The United States, Appellant, vs. The Winona & St. Peter R.R. Co., et al.

322. The United States, Appellant, vs. The St. Paul & Sioux City R.R. Co., et al.

The argument of these cases was commenced by Mr. Solicitor General Conrad, of Counsel for the appellant, and continued by Mr. Thomas Wilson, of Counsel for the appellee.

Proclamation being made, the Court is adjourned

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer Associate
Henry B. Brown Justices
George Shiras
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered, that C. Whittle Sams, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

551. Herman Hook, Plff in Error
vs.
The United States

On motion of Mr. Solicitor General Conrad, It is ordered by the Court that this cause be and the same is hereby re-assigned for argument at the foot of the call for the 7th instant.

602. The Winona & St. Peter Railroad Company et al., Appellants, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James A. Tawney, of counsel for the appellants; and Mr. Solicitor General Conrad, of counsel for the appellee.

371. The United States, Appellant, vs. The Winona & St. Peter R. R. Co. et al. 372. The United States, Appellant, vs. The St. Paul & Sioux City R. R. Co. et al. The argument of these cases was continued by Mr. Thomas Wilson, of counsel for the appellees, and concluded by Mr. Solicitor General Conrad, of counsel for the appellant.

275. The Oregon Short Line & Utah Northern Railway Co., Appellant, vs. The Northern Pacific Railroad Company. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause having been called to the attention of the Court by Mr. John F. Dillon, of counsel for the appellant, and he having moved the Court to dismiss this appeal pursuant to a stipulation of counsel for the respective parties, it is therefore

here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed without costs; And that this cause be, and the same is hereby, remanded to the said United States Circuit Court of Appeals for such further proceedings as may be necessary or proper to carry out the terms of the stipulation, or otherwise to secure the rights of the parties.

Per Mr. Chief Justice Fuller.

314. The United States, Appellant, v. The Union Pacific Railway Co. et al. Appellees.

The argument of this cause was commenced by Mr. John F. Dillon, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John Marshall Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Associate Justices

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. B. Hay it is ordered that William H. Preble, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

67. The United States, Appellant, vs. The Trans-Missouri Freight Association et al.

On motion of Mr. E. J. Phelps leave is hereby granted him to file a printed brief in this case.

194. The Gulf, Colorado & Santa Fe Railway Company, Plff in Error, vs. A. B. Roff. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

It appearing to the Court that a stipulation of Counsel for the respective parties to dismiss this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same, is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

614. The Western Union Telegraph Company, Appellant, vs. L. C. Norman, Auditor of Public Accounts of the Commonwealth of Kentucky. Appeal from the Circuit Court of the United States for the District of Kentucky.

It appearing to the Court that a stipulation of Counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with cost.

Per Mr. Chief Justice Fuller.

Wednesday December 31, 1890

The United States,
319. vs. Appellants
The Union Pacific Railway
Company et al.

The argument of this cause was continued by Mr. John F. Dillon, of Counsel for the Appellants

Concluded by Mr. Solicitor General Conrad, of Counsel for the appellants.

The Southern Pacific Railroad
Company et al.,
361. vs. Appellants
The United States.

It is ordered by the Court that two hours additional time be allowed, for the argument of this cause.

The Southern Pacific Railroad
Company et al.,
361. vs. Appellants,
The United States.

The argument of this cause was commenced by Mr. Joseph H. Choate, of Counsel for the appellants.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
George Shiras.
Edward D. White.
Rufus W. Peckham.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court was opened.

387. N. S. Swenson, Appellant, vs. Russell Sage, Assignee, In Error, etc.

On motion of Mr. Assistant Attorney General Dickinson leave is hereby granted to file a printed brief herein on behalf of the United States.

361. The Southern Pacific Railroad Company et al., Appellants, vs. The United States.

The argument of this cause was continued by Mr. Joseph H. Choate, of counsel for the appellants, and Mr. Joseph N. Call and Mr. Assistant Attorney General Dickinson, of counsel for the appellee, and concluded by Mr. Joseph H. Choate, of counsel for the appellants.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,

John M. Haight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court proceeded

Ex parte: In the matter of John Chelwood, Jr., Petitioner.

Mr. A. B. Browne, of Counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of certiorari or such other appropriate writ as to the Court may seem proper.

No. 1. Joseph Lalonet et al., Appellants, v. The United States.

On motion of Mr. A. B. Browne, of counsel for the appellants, leave is hereby granted the Clerk to issue the mandate in this cause.

311. James Compton, Appellant,
vs.
James A. Jump & Edward A. Dyer, Trustees, et al

The argument of this cause was commenced by Mr. Judson Harmon, of counsel for the appellant, continued by Doc. Henry Crawford and Mr. Rush Taggart, of counsel for the appellees, and concluded by Mr. John L. Milburn, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer Associate
Henry B. Brown Justices
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened. 371.

On motion first made to the Court in this behalf by Mr. Attorney General Harmon it is ordered that Frank S. Monnett, Esquire, of Columbus, and Francis Breon James, Esquire, of Cincinnati, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and duly were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Lancaster it is ordered that James Troy and Thomas N. Troy, Esquires, of Brooklyn, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. R. Shattuck it is ordered that James H. Peabody Esquire, of Greeley, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and hereupon took the oath prescribed by law.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that James D. Kennedy Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and hereupon took the oath prescribed by law.

Alexander Allen, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brown.

Monday, December 7th, 1857. Continued

The Rogers Locomotive Machine Works, Jacob Rogers, L. P. Starr, and R. B. Mason,
vs. Plffs in Error,
The American Emigrant Company.

In Error to the Supreme Court of the State of Iowa.

25.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

(Per Mr. Justice Nelson.)

Ex parte: In the matter of
V. D. Ambler,
Petitioner.

On consideration of the motions and petitions herein, and of the argument in support of the same, It is now here ordered by the Court that said motions and petitions be, and the same are hereby, denied.

(Per Mr. Chief Justice Taney.)

310. A. S. Churchill, Attorney General, et al., Appellants
v.
Oliver Amos et al.

On consideration of the motion to fix a day for the re-argument of these causes, It is now here ordered by the Court that said motion be, and the same is hereby, denied without prejudice to a renewal thereof later in the term.

(Per Mr. Chief Justice Fuller.)

311. A. S. Churchill, Attorney General, et al., Appellants,
v.
George Smith et al.

312. A. S. Churchill, Attorney General, et al., Appellants,
v.
Henry L. Higginson et al.

403. Boyden Power Brake Co. et al., Appellants,
v.
George Westinghouse, Jr. et al.

On consideration of the motion to fix a day for the re-argument of these causes, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument on the third Monday of January 1897, after the days heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

515. J. D. Adams,
v.
The State of Texas

On consideration of the motion for leave to prosecute this cause in

the record be printed at the public expense;
It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Waite.

Charles A. Gregory, Appellant, vs. John C. Kemp Van Ee. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is, hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

626. Hoke Smith, Secretary of the Department of the Interior, et al., Appellants, vs. Jefferson Reynolds et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of January, 1879, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Waite.

611. Thomas Allen, Appellant, vs. The State of Georgia. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of January, 1897, after the cause heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

614. The Western Union Telegraph Co., Plff in Error, vs. The State of Indiana. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument with Nos. 469, 470 and 471 on other dockets, as one case, or it will be taken on printed briefs if Counsel shall be so advised.

(Per Mr. Chief Justice Fuller.)

616. The Louisville Trust Company, Trustee, Appellant, vs. The City of Cincinnati. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of

as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

Ex parte: In the matter of John Chelwood, Junior, Petitioner. J. Original. On consideration of the motion for leave to file a petition for a writ of certiorari, or such other appropriate writ as to the Court may seem proper, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

(per Mr. Chief Justice Fuller.)

Ex parte: In the matter of John Chelwood, Junior, Petitioner. J. Original. On consideration of the petition of John Chelwood, Junior, It is now here ordered by the Court that cause be shown by the Circuit Court of the United States for the Northern District of California and the Honorable W. W. Morrow, Judge thereof, R. S. Thomas, and D. K. Hall, before this Court at Washington, on Monday, January 4, 1892, at 12 o'clock noon, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

(per Mr. Chief Justice Fuller.)

111. The Chicago, St. Paul, Minneapolis & Omaha Railway Co., Plff in Error, vs. John Roberts. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Waite

Mr. Justice Field took no part in the consideration and decision of this case.

112. The Chicago, St. Paul, Minneapolis & Omaha Railway Co., Plff in Error, vs. John Roberts. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Monday, December 7th, 1896, Continued.

1174. James Dyer, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Arkansas, and a confession of errors by counsel for the defendant in error having been filed, Therefore, in pursuance of said confession, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to set aside the verdict and for further proceedings to be had therein in conformity to the opinion of the Chief Justice. Shiras.

913.

21. The Wisconsin Central R'y Co., Appellant, vs. The United States. On motion of Mr. Solicitor General, Conrad, leave is hereby granted the Clerk to issue the mandate in this cause.

6143. Francisco Gonzales y Borrego et al., Appellants, vs. William P. Cunningham, Sheriff. The motions to dismiss or affirm in this cause, were submitted to the consideration

655. 655.

of the Court on the record and printed

by Mr. A. Lilienen in support of the same, and
Mr. Thomas E. Gibbon, Mr. Samuel F. Phillips,
and Mr. Frederic D. McKenney, in opposition.
On motion of Mr. Holmes leave was
thereby granted counsel for the appellee to
file an additional brief herein within forty

Ex parte: In the matter of
the Atlantic City Railroad Co.
Petitioner.

Mr. William
Hanson Kenyon,
of counsel for the
petitioner, sub-
mitted to the consideration of the Court a
motion for leave to file a petition for a writ of
mandamus herein.

The United States ex rel.,
&c. Appellants,
v.
the Northwestern Express,
Cartage & Transportation Co.

This cause was
submitted to the
consideration of
the Court, pursuant
to the 20th rule, on
the record and printed arguments by Mr.
Assistant Attorney General Maury, of counsel
for the appellants, and Mr. John K. Dinsmore,
Mr. Charles King and Mr. William B. King,
of counsel for the appellee.

Albert F. Holden, Piff in Error, vs. Henry Hardy, Sheriff &c.
Albert F. Holden, Plff in Error, vs. Henry Hardy, Sheriff &c.
Mr. S. M. Wilson, of counsel for the plaintiff

Court's motion to advance the cause.

Ex parte: In the matter of Charles F. Jones, Petitioner. Mr. Frank H. Hadley, in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

457. Henry Cramer, Plff in Error, vs. The State of Washington. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. W. Hastie, in support of the same, and Mr. Frank B. Crosthwaite and Mr. James Hamilton Lewis, in opposition thereto.

477. Adolph King, Plff in Error, vs. The State of Washington. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. W. Hastie and Mr. Joseph Shillington, in support of the same, and Mr. James Hamilton Lewis in opposition thereto.

523. James Murphy, Plff in Error, vs. [illegible] Mr. A. W. Hastie, of counsel for the defendant in error,

ation of the Court a motion to advance the cause

Northern Pacific Railroad Co. et al.,
vs. Appellants,
The United States

Mr. J. Hubley Ashton of counsel for the appellants, was invited to the consideration of the Court a motion for leave to file a printed abstract of part of the record in this cause

463. Pullman's Palace Car Co., Appellant,
vs.
Central Transportation Co.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John G. Johnson and Mr. F. C. Prichard, in support of the same, and Mr. A. A. Wintersteen, Mr. Robert T. Lincoln, Mr. E. S. Isham and Mr. Joseph N. Ware, in opposition thereto.

554. Leander J. McCormick, Plaintiff in Error,
vs.
The Market National Bank of Chicago.

This cause was submitted to the consideration of the Court, under the 20th rule, on the record and printed arguments by Mr. A. M. Pence, of counsel for the plaintiff in error, and Mr. Hiram T. Gilbert, of counsel for the defendant in error.

Monday, December 16, 1878. Continued.

448. The Western Union Telegraph Company, v. Appellant, Americus C. Dailey, Auditor of the State of Indiana. Appeal from the Circuit Court of the United States for the District of Indiana.

Appearing to the Court that a motion by Counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite.

69. The United States, v. Plff in Error, The Chicago, Rock Island & Pacific Railroad Co. This cause was submitted to the consideration of the Court, pursuant to the order of Nov. [illegible] on the record and printed arguments by Mr. Solicitor General Conrad, of Counsel for the plaintiff in error, and Mr. Robert Mackey of counsel for the defendant in error.

415. The New York Indians, v. Appellants, The United States. The argument of this cause was commenced by Mr. Henry E. Davis, of Counsel for the appellants

and continued by Mr. Charles C. Binney, of Counsel for the appellants, and Mr. Joseph H. Choate, of Counsel for the

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

415. The New York Indians, Appellants, v. The United States. The argument of this cause was concluded by Mr. Joseph H. Choate of Counsel for the appellants.

87. F. R. Osborne, Plaintiff in Error, v. The State of Florida. This cause was argued by Mr. John E. Hartridge of Counsel for the plaintiff in error, and Mr. W. B. Lamar, of Counsel for the defendant in error.

67. The United States, Appellant, vs. The Trans-Missouri Freight Association et al.

On motion of Mr. John F. Dillon, of counsel for the appellees, It is ordered by the Court that that counsel be allowed to argue this case on behalf of the appellees and that each side be allowed one hour additional time for the argument.

67. The United States, Appellant, vs. The Trans-Missouri Freight Association et al.

The argument of this cause was commenced by Mr. Attorney General Harmon, of counsel for the appellant, and continued by Mr. John F. Dillon, of counsel for the appellees.

Proclamation being made, the Court is adjourned until tomorrow at ten o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John Marshall Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr. H. F. Hendrick it is ordered that John F. Haigh, Esquire, of Ashland, State of Kentucky be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Harmon it is ordered that Henry H. Williams, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

136. The Texas & Pacific Railway Company, Plff in Error, v. P. A. Scoville. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This Cause having been called to the attention of the Court by Mr. John F. Dillon of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with cost.

Per Mr. Chief Justice Waite.

140. James S. Glover et al., Appellants, v. The United States. On motion of Mr. Solicitor General Conrad, leave is hereby granted the Clerk to issue the mandate in this cause.

67. The United States, Appellant, v. The Trans-Missouri Freight Association et al. The argument of this cause was continued by Mr. James C. Carter and Mr. E. [illegible], of counsel for the appellees, and concluded by Mr. Attorney General, Harmon, of counsel for the appellants, and leave was granted Mr. W. F. Guthrie, of counsel for the appellees, to file a supplemental brief.

781.	Charles H. Hostetter, Pl'ff in Error, vs. The State of Washington.	The argument of this cause was commenced by Mr James Hamilton Lewis, of counsel for the Plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is open

2824. Charles H. Nordstrom, Plff in Error, v. The State of Washington.

The argument of this cause was continued by Mr. James Hamilton Lewis, of counsel for the plaintiff in error, and concluded by Mr. A. H. Hastie, of counsel for the defendant in error.

No. Levi C. Weir, President &c., Appellant, v. L. G. Norman, Auditor &c.

It is ordered by the Court that the order assigning these cases for argument with Nos. 237 &c. on the docket, and the time &c.

467. The Henderson Bridge Co., Plff in Error, v. The Commonwealth of

469. The American Express Co. Plff in Error, vs. The State of Indiana.
470. The Adams Express Co. Plff in Error, vs. The State of Indiana.
471. The United States Express Co. Plff in Error, vs. The State of Ind.
472. The Western Union Telegraph Co. Plff in Error, vs. The State of Indiana.

It is ordered by the Court that these cases be argued with Nos. 307 & 308 in one case, and, that three hours be allowed Counsel on each side for the argument.

252. The Western Union Telegraph Company, Appellant, vs. Ezekiel M. Fox, Auditor of the State of Ohio, et al. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause having been called to the attention of the Court by Mr. Lawrence Maxwell, Jr. Counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, with costs.

Per Mr Chief Justice Waite.

Thursday December 10th 1883

401. The Western Union Telegraph Company, Appellant, v. Ebenezer W. Poe, Auditor of the State of Ohio. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause having been called to the attention of the Court by Mr. Lawrence Maxwell, Jr., of counsel for the appellant, and he having moved the Court to dismiss this appeal. Therefore, in pursuance of said motion, It is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

405. The Western Union Telegraph Company, Appellant, v. Ebenezer W. Poe, Auditor of the State of Ohio. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause having been called to the attention of the Court by Mr. Lawrence Maxwell, Jr., of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

337. Henry Sanford, President &c. vs. Lewis H. Castleman, etal
338. Henry Sanford, President &c. vs. Lewis H. Castleman, etal
339. Elmer E. Fargo, President &c. vs. Lewis H. Castleman etal.
340. Thomas C. Platt, President &c. vs. Lewis H. Castleman etal
398. E. A. Stevard, Vice President &c. vs. Lewis H. Castleman &c.
399. Elmer E. Fargo, President &c. vs. Lewis H. Castleman &c.
400. Thomas C. Platt, President &c. vs. Lewis H. Castleman &c.
464. The American Express Co., Plff in Error, vs. The State of Indiana
470. The Adams Express Co., Plff in Error, vs. The State of Indiana
471. The United States Express Co., Plff in Error, vs. The State of Indiana
649. The Western Union Telegraph Co., Plff in Error vs. The State of Indiana

The argument of these cases was commenced by Mr. Lawrence Maxwell Jr., of counsel for the appellants and plaintiffs in error in Nos. 337, 338, 339, 340, 398, 399, 400, 464, 470 and 471, and continued by Mr. Thomas McDougall, of counsel for the appellees in Nos. 337, 338, 339, 340, 398, 399 and 400.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer Associate
Henry B. Brown Justices
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Harmon it is ordered that Charles F. Patterson, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and thereupon he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. K. Watson it is ordered that Frank H. Scott, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. M. Thurston it is ordered that John L. Godown, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and hereby is accordingly.

The Western Union Telegraph Company, Plaintiff in Error, vs. The State of Indiana. Defendant in Error. No. 169.

This cause was submitted to the consideration of the Court on the record with leave to counsel for the plaintiff in error to file a printed brief within one week and counsel for the defendant in error to file a reply thereto within one week thereafter.

The United States, Appellant, vs. Appellees. Nigel N. Clark et al. No. 37.

On motion of Mr. Ward, Thorn, in behalf of counsel for the appellees leave is hereby granted the Clerk to issue the mandate in this cause.

337. Henry Sanford, Executor, &c., Appt, vs. Ebenezer H. Catlin, et al.
338. Henry Sanford, Executor, &c., Appt, vs. Ebenezer H. Catlin, et al.
339. James C. Fargo, Executor, &c., Appt, vs. Ebenezer H. Catlin, et al.
340. Howard C. Hall, Executor, &c., Appt, vs. Ebenezer H. Catlin, et al.
378. C. A. Durand, Vice President, &c., Appt, vs. Ebenezer H. Roe, Auditor, &c.
379. James C. Fargo, Executor, &c., Appt, vs. Ebenezer H. Roe, Auditor, &c.
380. Howard C. Hall, Executor, &c., Appt, vs. Ebenezer H. Roe, Auditor, &c.

470. The Adams Express Co., Pltff in Error, vs. The State of Indiana.
471. The United States Express Co., Pltff in Error, vs. The State of Indiana.

The argument of these cases was continued by Mr. J. K. Richards, of Counsel for the appellees, and Mr. N. A. Ketcham and Mr. Judson Harmon, of Counsel for the defendant in error, and concluded by Mr. James C. Carter, of Counsel for The American Express Co.

The Western Union Telegraph Co., Appellant, vs. Ebenezer H. Poe, Auditor, et al. 352.
The Western Union Telegraph Co., Appellant, vs. Ebenezer H. Poe, Auditor, et al. 401.
The Western Union Telegraph Co., Appellant, vs. Ebenezer H. Poe, Auditor, et al. 425.

Mr. Frank S. Monnett, of Counsel for the appellees, submitted to the consideration of the Court a motion that the mandates in these cases be announced.

The Oregon Short Line & Utah Northern Railway Co., Appellant, vs. The Northern Pacific R'R Co. 345.

On motion of Mr. Rush Taggart, in behalf of Counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this case.

586. Levi C. Weir, President &c.,
vs. Appellant
L. C. Norman, Auditor &c.,
Rec'd Henderson Bridge Co.
462. vs. Plff in Error,
The Commonwealth of
Kentucky.

Reargument of these cases was commenced by Wm. J. Nelms, of counsel for the Plaintiff in Error

Proclamation being made the Court is adjourned until Monday next at twelve o'clock M.

Monday, December 4th 1871

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David D. Davis — Associate
Nathan Clifford — Justices
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that Edgar Smith Esquire, of Fort Smith, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence Maxwell, Jr, it is ordered that Edward S. Dodge, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and, he was sworn accordingly.

50. The Covington & Lexington Turnpike Road Company et al., Plffs in Error, v. A. P. Sandford, A. Vandebeer, Conrad Noll et al. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the principles of the opinion of this Court.

(Per Mr. Justice Harlan.)

457. Henry Cranmer, Plff in Error, v. The State of Washington. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and on motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the

1077. Adolph Kuntz, Plaintiff in Error, vs. The State of Washington. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and on a motion to dismiss or affirm was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

463. Pullman's Palace Car Co., Appellant, vs. The Central Transportation Co. It is ordered by the Court that the further consideration of the motion to dismiss herein be, and the same is hereby, postponed to the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

5743. James Murphy, Plaintiff in Error, vs. The State of Washington. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of January, 1894, after the cases heretofore assigned for that day.

Per Mr. Chief Justice [illegible]

685. Albert F. Holden, Plff in Error, vs. Harvey Hardy, Sheriff &c.
685. Albert F. Holden, Plff in Error, vs. Jesse Hardy, Sheriff &c.

On consideration of the motion to advance these cases, it is now ordered by the Court that said motion be, and the same is hereby, granted and the cases assigned for argument on the third Monday of October next.

Per Mr. Chief Justice Fuller.

James B. Wilson, Plff in Error, vs. The United States. 116.

It is ordered by the Court that the mandate herein be stayed, and that counsel for the plaintiff in error be, and he is hereby, granted leave to file a brief within fifteen days.

Per Mr. Chief Justice Fuller.

A. A. McCullough, Plff in Error, vs. The Commonwealth of Virginia. 125.

It is ordered by the Court that this cause be restored to the docket for reargument.

Per Mr. Chief Justice Fuller.

Charles H. Nordstrom, Plff in Error, vs. The State of Washington. 984.

In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of

sideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Waite

554. Leander J. McCormick, Pl'ff in Error, v. The Market National Bank of Chicago

It is ordered by the Court that leave be, and the same is hereby given to counsel herein to file printed briefs on the question of the jurisdiction of this Court, within ten days.

Per Mr. Chief Justice Waite

515 The United States, Appellant, vs. The Oregon & California Railroad Company and The Oregon Central Railroad Company

Appeal from the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby reversed, and the decree of the Circuit Court of the United States for the District of Oregon be, and the same is hereby affirmed; and it

and the cause is hereby remanded to the said Circuit Court.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Field and
Mr. Justice Shiras.

504. William P. Quigley et al., Appts. vs. Travellers Insurance Co. et al.
516. Ka-koo-Yel-lee, Plff in Error, vs. The United States.
661. Richard S. Williams, Plff in Error, vs. The United States.
662. Richard S. Williams, Plff in Error, vs. The United States.

Mr. Solicitor General Conrad submitted to the consideration of the Court motions to advance these cases.

The Pittsburg, Cincinnati, Chicago & St. Louis Railway Co., Plff in Error, vs. The Board of Public Works of the State of West Virginia. 464.

Mr. D. S. Riley, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

The United States, Plff in Error, vs. R. E. McGlashan. 604.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George E. Sutherland and Mr. N. L. Eaton, in support of the same, and Mr. Solicitor General Conrad, in

Monday, December 11th, 1876. Present

The State of Missouri, Complainant,
6 Original. v. On motion of M. A. T. Ashton of Counsel, for the Complainant
The State of Iowa, Leave is hereby given to file the report of the Commissioners appointed by this Court to find and remark the boundary line between the States of Missouri and Iowa, pursuant to the order of February 3, 1876, and the statement of Dwight H. Morgan, one of said Commissioners in regard to his compensation, and said report and statement were submitted to the consideration of the Court.

The United States, Appellant,
514. v. Mr. John C. Cheney of Counsel for the appellee, submitted to the
Lewis A. Eaton. consideration of the Court a motion to advance this cause.

The Western Union Telegraph Company, Plaintiff in Error,
257. v. In Error to the Supreme Court of the State of
C. G. Rawlings. Georgia.

This cause having been called to the attention of the Court by Mr. J. K. Ashton, of Counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby

with costs.

(Per Mr. Chief Justice Waite.)

651. John Chisholm et al., Appellants, vs. William B. Abbott et al. The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the First Circuit was submitted to the consideration of the Court on a printed argument by Mr. Edward S. Bragg and Mr. John Lowell, in support of the same.

52. George F. Dearborn, Plff in Error, vs. Peter Moran and Robert Moran. In Error to the Supreme Court of the State of New Hampshire.

This cause having been called to the attention of the Court by Mr. F. L. McKenney, of Counsel, for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

(Per Mr. Chief Justice Waite.)

Monday, December 11th, 1865.

No. 1 Original.

Ex parte In the matter of
Samuel J. McCauley,
Petitioner.

On motion of
Mr. C. Dun
Counsel for the
petitioner,
It is now
ordered by the
that leave be
the same is he
granted to
Petitioner here

for writs of habeas corpus and it appe
And it is further ordered that pendin
hearing each of the petitioners be releas
bail in the sum of one thousand dollars
taken by the Clerk of this Court.

Per Wm. Chief Justice Cartter

No. 2 Original.

Ex parte In the matter of
Isaac C. Kolloch,
Petitioner.

No. 3 Original.

Ex parte In the matter of
William O. Lusby,
Petitioner.

No. 1 Original.

Ex parte In the matter of
Samuel J. McCauley,
Petitioner.

On consideration
the petition of
uel J. McCau
It is now
ordered by the Court that cause be shown
Albert G. Wilson, Marshal of the United S
for the District of Columbia, before this Co
at Washington, on Monday, January 15
at 12 o'clock noon of that day, or as soon
after as counsel can be heard, why the p
of said petition should not be granted

Per Wm. Chief Justice Cartter

Ex parte In the matter of Isaac C. Holbrook, Petitioner. No. 5 Original.

On consideration of the petition of Isaac C. Holbrook, It is now here ordered by the Court that cause be shown by Albert G. Watkins, Marshal of the United States for the District of Columbia, before this Court, at Washington, on Monday, January 8th, 1877, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Waite.

Ex parte In the matter of William O. Luby, Petitioner. No. 13 Original.

On consideration of the petition of William O. Luby, It is now here ordered by the Court that cause be shown by Albert G. Watkins, Marshal of the United States for the District of Columbia, before this Court, at Washington, on Monday, January 8th, 1877, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Waite.

366. Thomas P. Beal, Receiver &c, vs. Jeff'n Davis & The Essex Savings Bank.

Mr. Edward Hinsdale Paige, in behalf of Counsel,

Monday, November 11th, 1901. Court met ...

Consideration of the Court a motion to advance ...
case for hearing with or immediately after ...
No. 501.

550. The Hanover Valley Steel Co., Appellant, vs. Hoke Smith, Secretary of the Interior, et al. — Appellees. — Motion of ... Court that this ... be and the ... Secretary, Hanover ... for argument ...

the first of the week for to-day.

556. Levi C. Hein, President &c., Appellant, vs. L. C. Norman, Auditor &c. — Argument ... these cases ... continued ... of counsel ... Appellees and ... granted in ... and concluded ... by Mr. Laurence Maxwell, Jr., of counsel ... the Appellant.

462. The Henderson Bridge Co., vs. Kitty D. ... The Commonwealth of ... Kentucky. —

497. John F. Bushnell, Appellant, vs. Cyrus A. Leland, Receiver &c. — The argument ... this cause ... commenced ... John F. Cramer ... of counsel for the Plaintiff in Error, and concluded by Mr. F. H. Holden and Mr. Edward Tinsley of counsel for the Defendant in Error. Proclamation being made the Court is adjourned ... tomorrow at twelve o'clock ...

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. C. Gurland it is ordered that John S. Watson, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

149. John F. Bushnell vs. Leffingwell, Error to the Supreme Court of the State of Illinois.

Reargument of this cause was continued by Mr. Edward Winslow Paige, of counsel for the defendant in error, and concluded by Mr. John J. Crawford, of counsel for the plaintiff in error, and leave was granted com-

brief on or before Saturday.

536 James Mills,
Pl'ff in Error,
vs.
The United States.

This cause was submitted to the Consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Dickinson, of Counsel for the defendant in error. No counsel appeared for the plaintiff in error.

537 Jess Noffsinger and John Noffsinger,
Pl'ffs in Error,
vs.
The United States.

This cause was submitted to the Consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error. No counsel appeared for the plaintiffs in error.

574 C. L. Addington,
Pl'ff in Error.
vs.
The United States.

This cause was submitted to the Consideration of the Court on the record and printed argument by the plaintiff in error in propria persona, and Mr. Solicitor General Conrad, of Counsel for the defendant in error.

588. Frank Carver,
Pl'ff in Error.
vs.
The United States.

This cause was submitted to the Consideration of the Court on the record

ment by Mr. William M. Evarts, of Counsel for the Plaintiff in error, and leave was granted Counsel for the defendant in error to file a printed Argument on or before Thursday the 17th instant.

331. Robert Robertson et al. vs. The United States et al. Appellants

This Cause was argued by Mr. J. H. Ralston, of Counsel for the appellants, and Mr. Solicitor General Conrad, of Counsel for the appellees.

100. The Atlantic & Pacific Railroad Company vs. Robert Mingus

The argument of this Cause was commenced by Mr. E. J. Phelps, of Counsel for the Plaintiff in error, and continued by Mr. Assistant Attorney General Dickinson in behalf of The United States.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Davis, } Associate
Henry B. Brown, } Justices
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf, by Mr. T. B. Catron it is ordered that R. H. Blue, Esquire, of Pleasanton, and Orrin L. Miller, Esquire, of Kansas City, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. M. Baker it is ordered that Robert S. Taylor, Esquire, of Woodbury, State of New Jersey, and Edward H. Kuhlemeier, Esquire, of Philadelphia, State of Pennsylvania, be admitted to

Court and they were sworn accordingly.

100. The Atlantic & Pacific Railroad Company vs. Jeffn Thor, Robert Morgan.

The argument of this cause was continued by Mr. Assistant Attorney General Dickinson on behalf of the United States, and concluded by Mr. C. B. Browne, of counsel for the plaintiff in error.

631. Charles H. Bauman et al., vs. Appellants, John H. Rossel al, Commissioners &c.

632. John H. Ross et al, Commissioners &c., vs. Appellants, Charles H. Bauman et al.

633. Butler P. Abbot, vs. Appellant, John H. Ross et al. Commissioners &c.

634. John H. Ross et al, Commissioners &c. vs. Appellants, Charles H. Bauman et al.

The argument of these cases was commenced by Mr. A. S. Worthington, of Counsel for Ross et al, Commissioners &c. and continued by Mr. Nathaniel Wilson, of Counsel for Bauman et al, and Abbot, and Mr. C. Lee, of Counsel for Ross et al.

Proclamation being made the Court adjourned until tomorrow at ten o'clock A.M.

Monday, December 18th

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray, Associate
David J. Brewer, Justices
Henry B. Brown,
George Shiras Jr.
Rufus W. Peckham,

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court took its seat.

On motion first made to the Court in this behalf by Mr. A. G. Hilborn, it is ordered that Sanbury C. Mastick, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and return his roll accordingly.

631. Charles A. Bauman et al., Appellants, vs. John H. Ross et al., Commissioners &c.

632. John H. Ross et al., Commissioners &c., Appellants, vs. Charles A. Bauman et al.

633. Butler F. Abbot, Appellant, vs. John H. Ross et al., Commissioners &c.

Reargument of these cases was continued by Mr. H. L. Cobb, of Counsel for Appellants, and Mr. Wm. Hepin Brown, of Counsel for Bauman et al.

554. John K. Rose et al. Commissioners &c, Appellants, vs. Charles F. Armes et al. / Mr. A. S. Worthington, of Counsel for Rose et al, Commissioners &c.

550. The Warner Valley Stock Co. Appellant, vs. Nobe Smith, Secretary of the Interior, et al. / The argument of this cause was commenced by Mr. Frederic D. McKenney of Counsel for appellant, and continued by Mr. Assistant Attorney General Shiras, of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday, December 16, 1895.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. A. A. Garland it is ordered that Abel E. Blackmar, Esquire, of the City, County, and State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. F. Whitney it is ordered that Charles H. Raymond, Esquire, of Kalseka, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and they were sworn accordingly.

The Southern Pacific Railroad Company et al.,
v. Appellants,
The United States.

361. On consideration of the motion for leave to file a printed abstract of part of the record in this cause,

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

The Chicago, Burlington & Quincy Railroad Company
v. In Error to the
Charles L. Jones. Supreme Court of the State of Illinois.

350.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

The Kanawha Valley Stock Co.,
v. Appellant,
Noyle Smith, Secretary of the Interior, et al.

550. Reargument of this cause was continued by Mr. Assistant Attorney General Whitney, and Mr. Solicitor General Conrad, of counsel for the appellees, and concluded by Mr. Frederic D.

Herman Keck,
551. vs. Writ in Error.
The United States

This cause was argued by Mr. Francis B. James, of Counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer Associate
Henry B. Brown Justices
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court opened

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that S. Mallet-Prevost Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. W. T. S. Curtis it is ordered that Charles A. Long Esquire, of Medicine Lodge, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Frederick Maish and Thomas Driscoll, Appellants vs. The Territory of Arizona — Appeal from the Supreme Court of the Territory of Arizona

84.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley.

Francisco Gonzales y Borrego, Antonio Gonzales y Borrego, Luciano Maria del Cubico Valencia. Appellants, vs. William P. Cunningham, Sheriff of Santa Fe County, Territory of New Mexico. — Appeal from the Supreme Court of the Territory of New Mexico

645.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Supreme Court in this cause, and the same is hereby affirmed with costs, by the Court

357. The Western Union Telegraph Co., Appellant, vs. Stevens H. Cox, Auditor, et al

On consideration of the motion that the mandates in these cases issue, at once,

It is ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

401. The Western Union Telegraph Co., Appellant, vs. Stevens H. Cox, Auditor, &c.

405. The Western Union Telegraph Co., Appellant, vs. Stevens H. Cox, Auditor, &c.

371. Alexander Allen, Plaintiff in Error, vs. The United States

It is ordered by the Court that the time for the mandate to issue in this cause be, and the same is hereby, enlarged to sixty days.

Per Mr. Chief Justice Fuller.

70. The Northern Pacific Railroad Company, Plaintiff in Error, vs. Leonard P. Colburn.

It is ordered by the Court that the time for the mandate in this cause to issue be, and the same is hereby, enlarged to sixty days.

Per Mr. Chief Justice Fuller.

366. Thomas P. Beal, Receiver, &c., Plaintiff in Error, vs. The First National Bank

On consideration of the motion to advance this cause

or immediately after Case No. 201. It is now here ordered by the Court that said motion be, and the same is hereby, denied, but leave is granted to counsel in this case to file briefs in Case No. 201, if so advised.

Per Mr. Chief Justice Fuller.

409. The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, Appellant, v. The Board of Public Works of the State of West Virginia.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on the third Monday of October next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

504. William P. Craighill et al., Appellants, v. Avarilla Lambert et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on the third Monday of October next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

516. Ha-Kos-Yel-lee
vs. Plff in Error
The United States

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of [illegible]

Per Mr. Chief Justice Fuller

514. The United States,
vs. Appellant
Lewis A. Eaton.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

604. The United States,
vs. Plff in Error
R. E. McGlashan

On consideration of the motion to dismiss in this cause, and of the argument of Counsel thereupon had, as well in support of, as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

651. John Chisholm et al., Appellants, vs. William V. Abbott et al. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

661. Richard S. Williams, Plff in Err, vs. The United States.
662. Richard S. Williams, Plff in Error, vs. The United States.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cases assigned for argument on the third Monday of October next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

28 The Cunard Steamship Co., Appellant, vs. Cyprien Fabre, Manager. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument on the question whether the libelant was in fault, counsel being limited to one hour on each side.

Per Mr. Chief Justice Fuller.

69. The United States, vs. Writ in Error, The Chicago, Rock Island & Pacific Railroad Company. To Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

306. The State of Missouri ex rel. The Laclede Gas Light Company, vs. Writ in Error, Michael J. Murphy, Sheriff, Commissioner &c. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument.

Per Mr. Chief Justice Fuller.

131. Jane M. McKee et al., vs. Appellants, The United States. On motion of Mr. Assistant Attorney General Conrad leave is hereby granted the Clerk to issue the mandate in this cause.

183. Robert Irwin, Appellant, v. The United States et al. On motion of Mr. Solicitor General Conrad, it is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4 of Rule 24.

325. The United States, Appellant, v. William J. Burnette. This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. Assistant Attorney General Dodge and Mr. George N. Gorman, of counsel for the appellant, and Mr. John S. Blair and Mr. Charles Hart, of counsel for the appellee.

334. The United States, Appellant, v. Kimball & Stone. On motion of Mr. Solicitor General Conrad, it is ordered by the Court that this cause be, and the same is hereby, advanced as under the 3rd Rule.

669. The United States, App't, vs. John H. Herron.
670. The United States, App't, vs. Thomas E. Milchrist.
671. The United States, App't, vs. Charles A. Scott.

Mr. Solicitor General Conrad submitted to the consideration of the Court a motion to advance these cases.

181. Santiago Hinsa, Adm'r &c., Appellant,
vs.
The United States.

On motion of Mr. A. B. Browne, in behalf of Counsel for the Appellant, It is ordered by the Court that these causes be, and they are hereby, passed, subject to the provisions of Section 4 of Rule 9.

182. Juan Pedro Cornou,
vs. Appellant,
The United States.

5 Pet. The Hurlbut Land & Cattle Co., Appellant,
vs.
John S. Russell, Court Commissioner.

This cause was submitted to the consideration of the Court, pursuant to the 24th rule, on the record and printed arguments by Mr. J. M. Wilson, of Counsel for the appellant, and Mr. J. W. Stidwell, of Counsel for the appellee.

7 Dig. Ct. Pet. The State of California,
vs. Complainant and
Southern Pacific Company,

The motion for a re-taxation of Costs herein was submitted to the Consideration of the Court on printed arguments of Mr. J. P. Langhorne, in support of the same, and Mr. J. Hubley Ashton, in opposition thereto.

551. Herman Keck,
vs.
The United States.

On motion of Mr. Assistant Attorney General Whitney, Counsel for

leave is hereby granted him to file a supplement at his leisure.

476. The Southern Railway Co., Appellant, vs. The Carnegie Steel Company, Limited.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on a printed argument by Mr. Willis D. Smith and Mr. Henry Crawford, in support of the same, with leave to counsel to file a printed brief in opposition thereto within one week.

479. Joseph K. Dunlop, Plff in Error, vs. The United States.

The argument of this cause was commenced by Mr. William S. Forrest, of counsel for the plaintiff in error, continued by Mr. Attorney General Harmon and Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error, and concluded by Mr. A. H. Garland, of counsel for the plaintiff in error.

480. Lowry H. Humes, Plff in Error, vs. The United States.

On motion of Mr. A. H. Garland, in behalf of counsel for the plaintiff in error, and consent of Mr. Attorney General Harmon, of counsel for the defendant in error, it is ordered that

by the Court that the Mandate issued herein be, and the same is hereby, recalled, the judgment entered herein on October 22, 1896, vacated and set aside, and the cause restored to the docket.

Proclamation being made the Court is adjourned until Monday, January 11, 1897, at ten o'clock a.m.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that Robert Neill, Esquire, of Batesville, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that William B. Sterling, Esquire, of Omaha, State of Nebraska, and Edgar Morris, Esquire, of Duluth, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf

Mr. Benj. Sullivan it is ordered that Charles S. Albert, Esquire, of Minneapolis, State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Henry Bruce it is ordered that Theodore E. Hancock, Esquire of Syracuse, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. L. Cole it is ordered that Fulton Lewis, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George F. Edmunds it is ordered that Marion Shelton Lewis, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

R. Osborne,
W. Cliff Bryan
the State of Florida,

In Error to the Supreme Court of the State of Florida.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Peckham.

Albert L. France, Benjamin Hollen, Geo. Hilliard et al., Plffs in Error, v. The United States. 165. In Error to the District Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said District Court with directions to set aside the judgment and discharge the plaintiffs in error.

Per Mr. Justice Peckham,

Dissenting:
Mr. Justice Harlan.

James Mills, Plff in Error, v. The United States. 536 In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the

The record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

Per Mr. Justice Peckham

Henry Starr, Plff in Error,
vs.
The United States.

In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

Per Mr. Justice Clifford

213 The United States and The Sioux Nation or Tribe of Indians, vs. The Northwestern Express, Stage and Transportation Company, Appellants, } Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice White.

197 John P. Bushnell, vs. Cyrus A. Leland, Receiver of the State National Bank of Wichita, } In Error to the District Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Connecticut.

The Texas & Pacific Railway Company, Plff in Error, vs. Charles Manlon, Administrator of Vic Bloom, deceased. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Texas.

Per Mr. Justice Shiras

Ex parte In the matter of Charles F. Jones, Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Justice Brown

588. Frank Carver, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the conviction and order a new trial.

Per Mr. Justice Brown.

(Mr. Justice Brewer and Mr. Justice Peckham concur in the judgment.)

578. Jess Nofire and John Nofire, Plffs in Error, vs. The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is

same is hereby remanded to the said Circuit Court with directions to surrender the defendants to the duly constituted authorities of the Cherokee Nation.

(Per Mr. Justice Bradley)

25. William G. Ford Jr. and Louis P. Levy, Appellants, vs. The Delta & Pine Land Company Ltd. Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley.

105. The St. Louis & San Francisco Railway Company, Plff in Error, vs. Leonard Matthews. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On

and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice Gray.)

The Missouri Pacific Railway Company, Plff in Error, vs. J. C. Simmons, Administrator of Allen A. Campbell, dec'd. Defendant in Error.

118. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice Gray.)

Ex parte In the matter of The Atlantic City Railroad Company, Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

M. F. Morris et al., Appellants, vs. The United States. Mr. Assistant Attorney General Harmon submitted to the consideration of the Court a motion to consolidate the several appeals herein and docket them as one case under the above title pursuant to a stipulation of counsel.

No. The Northern Pacific R.R. Co., Appellant, vs. Leonard P. Colburn. Mr. Solicitor General Conrad, on behalf of The United States, submitted to the consideration of the Court a motion to withdraw the mandate herein, to vacate and set aside the judgment entered herein on November 30, 1896, to restore the case to the docket for oral argument or submission on printed briefs and for leave to The United States to appear and be heard either orally or on printed argument.

617. The District of Columbia, Appt, vs. George E. Johnson, Etc.
618. The District of Columbia, Appt, vs. Margaret K. Shields et al.
619. The District of Columbia, Appt, vs. Joseph F. A. Hall.
620. The District of Columbia, Appt, vs. William Dodson, Exr.

These cases were submitted to the consideration of the Court, pursuant to the 30th rule, on the records and printed arguments by Mr. Assistant Attorney General Dodge and Mr. Robert A. Howard, of counsel for the appellants.

Mr. H. L. Cole, of Counsel for Shields et al. Mr. Edwin Forrest, of Counsel for Hall, and Mr. U. B. Edwards, of Counsel for Dickson, the grantees.

Ex parte In the matter of Everton R. Chapman, Petitioner. } On motion of Mr. George F. Edmunds, of Counsel for the petitioner. It is now here ordered by the Court that leave be, and the same is hereby, granted to file a petition for writs of habeas corpus and certiorari.

And it is further ordered that pending the hearing the petitioner be released on bail in the sum of one thousand dollars to be taken by the Clerk of this Court.

Per Mr. Chief Justice Fuller.

No. 1, Original.

Ex parte In the matter of Everton R. Chapman, Petitioner. } On consideration of the petition of Everton R. Chapman

It is now here ordered by the Court that cause be shown by Albert A. Wilson, Marshal of the United States for the District of Columbia, before this Court, at Washington, on Monday, March 22d, 1897, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller.

The Union Pacific Railway Company vs George J. Noble } In Error to the United States Circuit Court of Appeals for the Ninth Circuit

This cause having been called to the attention of the Court by Mr. J. M. Wilson, on behalf of [illegible] for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause. Therefore, in pursuance of said motion it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite

Ex parte In the matter of Samuel J. McCauley, Petitioner. } On motion of Mr. Henry E. Davis, of counsel for the petitioners, it is ordered by the Court that these cases be, and they are hereby, assigned for argument on the 15th instant.

Ex parte In the matter of Israel C. Kellogg, Petitioner.

Ex parte In the matter of William O. Linsby, Petitioner.

Ex parte In the matter of Edward Eckert, Petitioner. } Mr. Rublee & Cole, of Counsel for the petitioner, submitted to the consideration

for a writ of habeas corpus herein and for leave to prosecute the same in forma pauperis.

306. The State of Missouri ex rel. The Laclede Gas Light Co. vs. Michael J. Murphy, Street Commissioner &c. — Mr. L. N. Lindauer, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to fix a day for the re-argument of this cause.

524. The Chicago, Burlington & Quincy Railroad Co. vs. The State of Nebraska ex rel. The City of Omaha. — The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. H. J. Connell, in support of the same, and Mr. Thomas J. Greene, in opposition thereto.

In the matter of Ex parte C. & A. Potts & Co., Petitioners — Mr. E. H. Bradford, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

362. J. W. Bull, vs. Appellant, — The motion to advance this cause was sub-

sideration of the Court by Mr. R. R. Briggs in support of the same, and Mr. A. J. Hoole in opposition thereto.

102. The Panama Railroad Co., Appellant, vs. The Peruvian Steamship Company. On motion of Mr. Harmon S. Graves in behalf of the Appellant, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of Rule 9 of Rule 23.

128. The New York, New Haven & Hartford Railroad Co., Plff in Error, vs. The People of the State of New York. This cause was argued by Mr. John M. Bowers of Counsel for the Plaintiff in error, and Mr. Theodore E. Hancock and Mr. William Henry Dennis, of Counsel for the Defendants in error.

31. Rufus E. Graves, vs. The United States. The argument of this cause was commenced by Mr. C. C. Cole, of Counsel for the Plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Bernhard Huseman,
vs.
William H. Lanham.
(6b.)

Mr. C. C. Cole, of counsel for the plaintiff in error, suggested the death of Bernhard Huseman, the plaintiff in error herein, and moved the Court to make Katherine Huseman, Executrix of the said Bernhard Huseman, the party plaintiff in error. Whereupon, it is now ordered by the Court that the said Katherine Huseman, Executrix of Bernhard Huseman, deceased, be, and she is hereby, made the party plaintiff in error in this cause.

31. Rufus E. Graves, Plaintiff in Error
v.
The United States.

Reargument of this cause continued by Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error and concluded by Mr. C. C. Cole, of Counsel for the plaintiff in error.

66. Katherine Hausman, Executrix &c Plaintiff in Error
v.
William H. Condon

This cause was argued by Mr. C. C. Cole, of Counsel for the plaintiff in error, and submitted on a printed brief of argument by Mr. C. C. Fraser, of Counsel for the defendant in error.

75. Augusta P. Glover et al., Appellants
v.
Mary E. Easton et al.

Reargument of this cause was commenced by Mr. Charles J. Bonaparte, of Counsel for the appellants, and continued by Mr. Henry E. Davis, of Counsel for the appellees.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, January 6th 1892

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer — Associate
Henry B. Brown — Justices
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Elihu Root it is ordered that Bronson Winthrop, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Andrew Mellon, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1116. E. Allegre & Co. vs. Ellis in Error, The State of Louisiana

This cause was submitted to the consideration of the Court, pursuant to the 70th rule, on the record and printed arguments by Mr. Branch K. Miller, of counsel for the plaintiffs in error, and Mr. M. J. Cunningham and Mr. E. Howard McCaleb of counsel for the defendant in error.

75. Augusta P. Glover et al. vs. Appellants, Mary S. Patton et al.

The argument of this cause was concluded by Mr. Charles J. Bonaparte, of counsel for the appellants.

78. The Steam Yacht "Conqueror" &c., vs. Appellant, Frederick H. Cumberbell,

The argument of this cause was commenced by Mr. Assistant Attorney General Whitney, of counsel for the appellant, and continued by Mr. Elisha Read of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday January 7th. 1897.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White.
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion, first made to the Court in this behalf by Mr. S. A. Northway it is ordered that George W. Wilson, Esquire, of London, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and thereupon sworn accordingly.

45. The Steam Yacht "Conqueror" &c., Appellant, v. Frederick W. Vanderbilt,

The argument of this cause was continued by Mr. Elihu Root, of counsel for the appellee, and concluded by Mr. Assistant Attorney General Whitney, of counsel for the appellant.

David L. Swain
vs. Appellant
The United States

33. The argument of this cause was commenced by Mr. Benjamin Butterworth, of Counsel for the appellant, continued by Mr. Attorney General Harmon of Counsel for the appellee and concluded by Mr. J. H. Fitzpatrick, of Counsel for the appellant

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices.
George Shiras, Jr.
Edward D. White.
Rufus W. Peckham.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf, by Mr. E. M. White it is ordered that Ira D. Orton, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. Ana J. Dominguez de Luyando et al, Pltffs in Error
vs.
William Banning.

This cause was argued by Mr. Jefferson Chandler, of counsel for the plaintiffs in error, and Mr. E. M. White, of counsel for the defendant in error.

127. Frederick L. Manson, Appellant, vs. Charles D. Owen

For the appellant.

Reargument of this cause was commenced by Mr. Keller & Smith, of counsel.

Proclamation being made, the Court is adjourned until Monday next at ten o'clock.

Monday, January 11th, 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf, by Mr. Thomas H. Carter it is ordered that Clinton A. Towne, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Horace Chilton it is ordered that Millard Patterson, Esquire, of El Paso, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. J. M. Wilt it is ordered that Robert Brent Mitchell, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph K. McCammon it is ordered that William L. Pierce, Esquire, of Pittsburgh, and Horace L. Cheyney, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The Warner Valley Stock Company, Appellant, vs. Hoke Smith, Secretary of the Interior, and Silas H. Lamoreaux, Commissioner of the General Land Office. No. 555. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, it is now hereordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby reversed,

and that this cause be, and the same is hereby remanded to the said Court of Appeals with directions to reverse the decree of the Supreme Court of the District of Columbia and remand the cause to that Court with directions to dismiss the bill, with costs, for want of proper parties.

Per Mr. Justice Gray.

447. Enoch W. Agnew, Plff in Err. vs. The United States. In Error to the Circuit Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr. Chief Justice Fuller.

446. James B. Wilson, Plff in Error, vs. The United States. It is ordered by the Court that the motion to set aside the judgment entered herein by this Court be, and the same is hereby, denied, and the order staying the mandate herein be, and the same is hereby, vacated.

Per Mr. Chief Justice Fuller.

669. The United States, Appellant, vs. John W. Heron,
670. The United States, Appellant, vs. Thomas E. Mitchell
671. The United States, Appellant vs. Charles A. Gaul.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

676. Southern Railway Company, vs. Carnegie Steel Company Limited. Appellant, On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller

7, Original, Oct. T. 1894. The State of California, Complainant, vs. Southern Pacific Company On consideration of the motion for a re-taxation of costs herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be,

The Northern Pacific Railroad Company,
vs. } Writ of Error,
Leonard P. Erbeen. }

On consideration of the motion submitted herein on behalf of the United States,

It is ordered by the Court that the mandate in this case be stayed until the further order of the Court, and leave is granted to the United States to file printed briefs herein within thirty days, and an additional brief may be filed within the same time by the parties, if so advised.

Per Mr. Chief Justice Fuller.

The State of Missouri ex rel. The Fidelity Gas Light Co.
vs. } Writ of Error,
Michael J. Murphy, Street Commissioner &c.

306.

On consideration of the motion to fix a day for the reargument of the cause,

It is now here ordered by the Court that this case be, and the same is hereby, assigned for reargument on the second Monday of the next term, after the cases heretofore assigned for that day, unless sooner reached on the call of the docket.

Per Mr. Chief Justice Fuller.

J. W. Bull,
vs. } Appellant;
Charles E. Dickerman et al.

362

On consideration of the motion to advance this cause, and of the argument of counsel thereupon had, as well in support of

the same. It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

524. The Chicago, Burlington & Quincy Railroad Co., vs. The State of Nebraska ex rel. The City of Omaha. It is ordered by the Court that the further consideration of the motions to dismiss or affirm herein be, and the same is hereby, postponed to the hearing of the case on its merits.

Per Mr. Chief Justice Fuller.

M. F. Morris et al., vs. The United States. On consideration of the motion to consolidate the several appeals herein and docket them as one case under the above title, and to use in this Court the printed volumes on which the case was heard in the Supreme Court of the District of Columbia, and that the originals of certain exhibits may be produced and referred to on the trial of the case in this Court, in accordance with the stipulation of Counsel for the respective parties, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of Edward Eckart Petitioner

In consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted. It is further ordered that the motion for leave to proceed in forma pauperis be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

Ex parte In the matter of Edward Eckart Petitioner

In consideration of the petition of Edward Eckart, It is now here ordered by the Court that cause be shown by John J. Roberts, Warden of the State Prison of the State of Wisconsin, before this Court at Washington, on Monday, February 1st 1897 at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not be granted as prayed in said petition.

Per Mr. Chief Justice Fuller

Ex parte In the matter of C. & A. Potter & Co. Petitioners.

In consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that the

motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller

Ex parte In the Matter of E. & A. Potts & Co., Petitioners. On consideration of the petition of E. & A. Potts & Co.

It is now here ordered by the Court that cause be shown by the Honorable George R. Sage, Judge of the District Court of the United States for the Southern District of Ohio, sitting and holding a Circuit Court of the United States for the Southern District of Ohio, before this Court at Washington on Monday, February 1st, 1897, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard why a writ of mandamus should not be granted as prayed in said petition.

Per Mr. Chief Justice Fuller

415. The New York Indians, Appellants, v. The United States

It is ordered by the Court that this cause be, and the same is hereby [illegible]

the docket for re-argument and assigned for the second Monday of the next term after cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

12. The Northern Pacific Railroad Company, vs. Appellants, Jenius G. Linderman et al. On motion of Mr. Solicitor General, Conrad leave is hereby granted counsel for the United States to file a printed Brief herein, and it is further ordered that this cause be, and the same is hereby, assigned for argument at the head of the call for Monday next.

167. The Bondholders & Purchasers of the Iron Railroad, vs. Appellants, The Toledo, Delphos & Burlington Railroad Co., et al. On motion of Mr. J. C. Coombs, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, passed.

634. Edwin Norton et al., vs. Appellants, Milton A. Wheeler &c. On motion of Mr. John A. Miller, of counsel for the appellants, It is ordered by the Court that the argument on the return to the rule to show cause herein &c, and the same is hereby, postponed until Monday next.

900. The Union Iron Works, vs. Appellant. Ellen L. Smith, Executrix &c. On motion of Mr. Calderon Carlisle, of counsel for the appellant, It is ordered by the Court that counsel in this cause be allowed [illegible]

argue the same question arising in this cause in Case No. 687 on the argument of the latter case.

687. The Reliance Marine Insurance Company, Limited, Appellant, vs. The New York & Cuba Mail Steamship Company.

The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit, was submitted to the Consideration of the Court on printed arguments by Mr. William Gardiner and Mr. H. A. MacFarland, in support of the same, and Mr. Harrington Putnam, in opposition thereto.

704. The Capital Bank of St. Paul, Minn., Plff in Error, vs. School District No. 90, Barnes County, North Dakota.

The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Eighth Circuit, was submitted to the Consideration of the Court on printed arguments by Mr. William M. Jones, in support of the same, and Mr. S. L. Glasgow, in opposition thereto.

The motion to dismiss the petition was submitted to the Consideration of the Court by Mr. William Small, in support of the same, and Mr. William M. Jones, in opposition thereto.

Ex parte In the matter of John Chelwood, Jr. Petitioner. (On motion of Mr. A. B. Browne, of Counsel for the petitioner, leave is hereby granted to file a replication to the return to the rule to show cause herein.

6 Wallace.

653. William Campbell et al., Appellants, vs. Thomas D. L. Richardson et al. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit was submitted to the consideration of the Court on a printed argument by Mr. F. P. Fish, Mr. H. C. Shawbridge, and Mr. John K. Johnson, in support of the same, with leave to counsel to file brief in opposition thereto on or before the 22d instant.

554. The United States, Appellant, vs. (Rouble & Stone.) Mr. William A. Maury, of Counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause for oral argument.

556. William Dugald Stuart, Plaintiff in Error, vs. The City of Easton et al. Mr. C. B. Taylor, of Counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.)

Ex parte In the matter of Gustave Mix, Master of the Belgian Steamship "Caracas", Petitioner.

Mr. Horace L. Chaney, of Counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition herein.

1897. The United States, Appellant, v. Joshua Gorham.

Mr. John Wharton Clark, of Counsel for the appellee, submitted to the consideration of the Court a suggestion of the death of Joshua Gorham, the appellee herein, and a motion to make John J. Gorham et al, heirs of the said Joshua Gorham, deceased, the parties appellees herein.

No. 270. The United States Mutual Accident Association of the City of New York, v. Clifton Sinclair, Receiver.

In Error to the Court of Appeals of the District of Columbia.

Mr. Maud Hodgson

It appearing to the Court that a stipulation of Counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

491. Henry C. King, vs. Appellee, M. B. Mullins et al

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. M. F. Miles, of Counsel, for the plaintiff in error, and Mr. J. H. Ferguson and Mr. W. E. Chilton, of Counsel for the defendants in error.

621. Thomas H. Jones, vs. Appellee, Alfred L. Brim, Road Supervisor &c.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. F. S. Richards, of Counsel for the plaintiff in error, and Mr. C. L. Williams, of Counsel for the defendant in error.

529. L. I. Rosenbaums, vs. Appellee, The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas H. Carter and Mr. S. S. Burdett, of Counsel for the plaintiff in error, and Mr. Solicitor General Conrad, of Counsel for the defendant in error.

127. Frederick L. Manson, vs. Appellant, Charles C. Dunsmoor,

The argument of this cause was continued by Mr.

Counsel for the appellant, and Mr. William F. Mattingly, of counsel for the appellee, and concluded by Mr. Hamilton Smith, of counsel for the appellant.

Ex parte In the matter of John Chetwood, Jr. Petitioner. Discourse was argued by Mr. A. B. Browne, of counsel for the petitioner, and Mr. Robert Brent Mitchell, of counsel for the respondent.

The United States, Appellant, vs. Earl B. Coe. 145. The argument of this cause was commenced by Mr. Wm. G. Reynolds, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 5th 1892

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White.
Rufus W. Peckham
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. C. E. Magoon it is ordered that Charles Offutt, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte In the matter of
The Singer Manufacturing Co.
Petitioner.

Mr C. K. Offield, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Ex parte In the matter of
The Singer Manufacturing Co.
Petitioner.

Mr. C. K. Offield, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

The Capital Bank of St. Paul, Minnesota,
vs. Error,
304. School District No. 16, Barnes County, North Dakota.

On motion of Mr. William M. Jones, of counsel for the plaintiff in error, leave is hereby granted him to file a brief in opposition to the motion to dismiss herein within one week and to counsel to file a reply thereto within three days thereafter.

The United States,
vs. Appellant,
45. Emil B. Lee.

Reargument of this cause was continued by Mr. Matt. G. Reynolds, of counsel for the appellant, and Mr. A. M. Stevenson and Mr. John F. Shafroth, of counsel for the appellee, and concluded by Mr. Matt. G. Reynolds, of counsel for the appellant.

The Grand Lodge of the State of Louisiana, F. & A. Masons,
vs. Error,
111. The City of New Orleans.

It is ordered by the Court that three

105. The City of New Orleans et al, Appellants, vs. The Citizens Bank of Louisiana. Hornby present.

1146. P. N. Rhodes, Plff in Error, vs. The State of Iowa. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. C. Blythe, of counsel for the plaintiff in error, and Mr. Milton Remley, of counsel for the defendant in error.

147. The Fourth Street National Bank of Philadelphia, Appellant, vs. Robert M. Yardley, Receiver. The argument of this cause was commenced by Mr. Samuel Dickson, of counsel for the appellant, and continued by Mr. Silas W. Pettit, of counsel for the appellee.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met
to day at the Capitol.

Present

The Honorable Noah H. Swayne Chief Justice
Stephen J. Field
John M. Nelson
Samuel F. Miller
David J. Davis Associate
Henry B. Brown Justices
George Shea
Edward D. White
Nathan Clifford

John M. Wright, Esquire, Marshal
James H. McKenney Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf
by Mr. H. C. Hiddlecombe it is ordered that
D. C. Williams, Esquire, of Kansas City, State of
Missouri, be admitted to practice as an at-
torney and counsellor of this Court and he
was sworn accordingly

On motion first made to the Court in this behalf
by Mr. [illegible] it is ordered that John
Sherwood, Esquire, of Indianapolis, State of
Indiana, be admitted to practice as an attor-
ney and counsellor of this Court and he was
sworn accordingly

On motion first made to the Court in this behalf by Mr. C. K. Offield it is ordered that Clinton C. Smithsicum, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte In the matter of Charles Johnson, Petitioner. Mr. John J. Weed, of Counsel for the Petitioner, submitted to the Consideration of the Court a motion for leave to file a petition for a writ of habeas corpus and for leave to prosecute the same in forma pauperis.

578. Jesse Nofire and John Nofire vs. Plffs in Error, The United States. Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error, submitted to the Consideration of the Court a motion to amend the judgment of this Court in this cause.

292. The State of South Carolina, Appellant, vs. The Port Royal & Augusta Railway Company, John H. Averill, Receiver, et al., Appeal from the Circuit Court of the United States for the District of South Carolina.

It appearing to the Court that a stipulation of Coun-

has been filed. Therefore, in pursuance of said stipulation. It is now hereordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed, costs to be paid by the appellees.

Per Mr. Chief Justice Fuller.

Henry B. King, and David Kohn, Edward Poppe and William M. Kohn, copartners as Kohn, Poppe & Company, Appellants, vs. The Port Royal & Augusta Railway Company. Appeal from the Circuit Court of the United States for the District of South Carolina.

343.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now hereordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, costs to be paid by the appellees.

Per Mr. Chief Justice Fuller.

The State of South Carolina, Appellant, vs. The Port Royal & Augusta Railway Company. Appeal from the Circuit Court of the United States for the District of South Carolina.

343.

It appearing to the Court that a stipulation of

this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, costs to be paid by the appellee.

Per Mr. Chief Justice Waite.

158. Alfred Clarke, Plff in Error, vs. J. J. McDade,
159. Alfred Clarke, Plff in Error, vs. J. J. McDade,
160. Alfred Clarke, Plff in Error, vs. C. W. Mott et al.
161. Alfred Clarke, Plff in Error, vs. C. W. Mott et al.
162. Alfred Clarke, Plff in Error, vs. J. J. McDade.

These cases were submitted to the consideration of the Court on the records and printed arguments by Clara S. Foltz and Mr. A. L. Leslie, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

147. The Fourth Street National Bank of Philadelphia, Appellant, vs. Robert M. Yardley, Receiver &c. Appellee.

The argument of this cause was continued by Mr. Silas W. Pettit, of counsel for the appellee, and concluded by Mr. R. C. Dale, of counsel for the appellant.

149. E. M. Patton, vs. Plff in Error, The Texas & Pacific Ry Co.

This cause was argued by Mr. Millard Patterson, of counsel for the plaintiff in error,

151. James M. Deweese Jr., Appellant
vs.
Jacob Rinehart Exr &c

Reargument of this cause was commenced by Mr L. M. Lamberson, of Counsel for the appellant, and continued by Mr Charles Gibson and C. B. Mayers, of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at eleven o'clock.

Monday, January 14th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan
Horace Gray,
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White,
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Marcus P. C. Williams it is ordered that Lemuel M. Moore, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. B. Henderson it is ordered that Hubert Kenley, Esquire, of Iowa City, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Shafer, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

151. James M. Devereaux, Jr., vs. Appellant, Jacob Reinhard et al. — Rearguments of this cause was continued by Mr. C. E. Magoon, of counsel for the appellees, and concluded by Mr. L. M. Lambertson, of counsel for the appellant.

153. The Salt Lake City Brewing Co., vs. Riffin Error, The Fred. H. Hoff Company. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William C. Hall, of counsel for the plaintiff in error, and Mr. C. E. Williams, of counsel for the defendant in error.

154. Robert G. Hetrick, vs. Riffin Error, The Atchison, Topeka & Santa Fe Railroad Co. et al. — This cause was argued by Mr. Marcus C. Collins, of counsel for the plaintiff in error, and Mr. Samuel H. Moore, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 8th, 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joshua Eric Dodge it is ordered that Sidney Hayden, Esquire, of Hollon, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Phil. B. Thompson Jr. it is ordered that J. F. King, Esquire, of Muskogee, Territory of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

6 Original. The State of Missouri, Complainant, vs. The State of Iowa, Defendant. On motion of Mr. Hubert Hunley, in behalf of Complainant for the defendant

Leave is hereby granted to file the consent of the defendant herein to the entry of a decree confirming the report of the Commissioners heretofore appointed herein.

166. Frank S. Hoskins, Plaintiff in Error, vs. The State of Minnesota. In Error to the Supreme Court of the State of Minnesota.

This cause having been called for hearing in its regular order, and it appearing to the Court, that the parties have failed to print the transcript of the record, & is, therefore, in pursuance of the 10th rule of this Court, now here ordered, and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

168. The Winona & St. Peter's Railroad Co., Plaintiff in Error, vs. The Board of Com'rs. Commissioners of the City of St. Paul.

169. The Minneapolis Mill Co., Plaintiff in Error, vs. The Board of Water Commissioners

It is ordered by the Court that these cases be, and they are hereby, continued,

next term, per stipulation of counsel.

155. Margaret M. Gibson, Appellant, vs. The United States. This cause was argued by Mr. J. M. McPherson, of counsel for the appellant, and Mr. Assistant Attorney General Dodge, of counsel for the appellee.

156. The Lake Shore & Michigan Southern Railway Co., Plff in Error, vs. The State of Ohio ex rel. Russell C. Humphrey. This cause was argued by Mr. George C. Greene, of counsel for the plaintiff in error, and Mr. T. E. Burton, of counsel for the defendant in error.

453. The State of Louisiana ex rel. The Citizens' Bank of Louisiana, Plff in Error, vs. The Board of Assessors for the Parish of Orleans. On motion of Mr. William A. Maury of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with case No. 108, as one case, per stipulation of counsel.

108. The City of New Orleans et al., Appellants, vs. The Citizens' Bank of Louisiana et al. The argument of these cases was commenced by

483. The State of Louisiana ex rel. The Citizens Bank of Louisiana, vs. The Board of Assessors for the Parish of Orleans, et al. } Writ of Error

Mr. J. Cunningham of counsel for the State Tax Collectors and Assessors

Proclamation being made the Court is adjourned until Monday next at twelve o'clock M.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan
Horace Gray.
David J. Brewer
Henry B. Brown
Edward D. White.
Rufus W. Peckham.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Miss Kate A. Pier it is ordered that Caroline K. Pier of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Belva A. Lockwood it is ordered that Alice A. Minick, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. C. Glenn it is ordered that John K. Cooper

to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Swayne it is ordered that George Spalding, Esquire, of Detroit and John B. Corliss, Esquire, of Detroit, State of Michigan be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

66. Katherine Huseman, Executrix of Bernhard Huseman, deceased, Plff in Error, vs. William H. Bisham

In Error to the Supreme Court of the State of Iowa

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with cost.

Per Mr. Justice Bradley

133. The Gulf, Colorado & Santa Fe Railway Company, Plff in Error, vs. M. H. Ellis, by his next friend W. H. Ellis

In Error to the Supreme Court of the State of Texas

of the record from the Supreme Court of the State of Texas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr Justice Brewer.

Dissenting:
Mr. Justice Gray
Mr. Chief Justice Fuller
Mr. Justice White.

411. J. M. Scott
W. Fleming in Error,
James Donald.

In Error to the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the rate of six per cent per annum that similar judgments have in the Courts of the State of South Carolina.

Dissenting:
Mr. Justice Brewer, Mr. Chief Justice Fuller and Mr. Justice White, on the ground that no error appears in the decision of the Circuit Court.

Per Mr. Justice Shiras.

412. J. M. Scott, Plff in Error, vs. James Donald. In Error to the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of South Carolina.

Per Mr. Justice Shiras.

(announced by Mr. Chief Justice Fuller)

Dissenting:
Mr. Justice Brown.
(Mr. Justice Brewer did not hear the argument and took no part in the decision of the case.)

413. R. M. Gardner, M. P. Holley Jr., and E. B. Beach, Plffs in Error, vs. James Donald. In Error to the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court in this cause be, and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum as such similar judgments bear in the Courts of the State of South Carolina.

Per Mr. Justice Shiras

(Announced by Mr. Chief Justice Fuller)

Dissenting: Mr. Justice Brown.

(Mr. Justice Brewer did not hear the argument and took no part in the decision of the case.)

J. M. Scott, M. P. Holley Sr., E. C. Beach and R. M. Leidner, Appellants, vs. James Donald

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, amended by being restricted to the parties named as plaintiffs and defendants in the bill, and, as so amended, affirmed with costs.

Per Mr. Justice Shiras

(Announced by Mr. Chief Justice Fuller)

(Mr. Justice Brewer did not hear the argument and took no part in the decision of this case.)

SUPREME COURT OF THE UNITED STATES.

No. 6, Original.—October Term, 1896.

The State of Missouri, Complainant,
vs.
The State of Iowa.

—[January 18, 1897.]—

This cause coming on to be heard on the application of the State of Missouri, the State of Iowa consenting thereto, for decree on the report of James Harding, Peter A. Dey and Dwight C. Morgan, commissioners appointed by decretal order herein on February 3, 1896, to find and remark with proper and durable monuments such portions of the proper boundary line between the States of Missouri and Iowa, as run, marked and located by Hendershott and Minor, commissioners of this court, under the orders and decrees of this court of February 13, 1849, and January 3, 1851, as have become obliterated, especially between the fiftieth and fifty-fifth mile posts on the same; and it appearing that a difference of opinion has arisen in respect of certain allowances to be included in the expenses incurred in re-marking said boundary line, it is ordered by the court that Commissioner Morgan be allowed his per diem for forty-six days' services, and that the account of expenses attached to said report be completed by the addition of that per diem in favor of said commissioner, and that said report as so completed in that particular be and the same is hereby in all things confirmed, as follows:

"To the honorable the Supreme Court of the United States:

"The undersigned commissioners, appointed by the decree of your honorable court dated February 3, 1896, to find and remark with proper and durable monuments such portions of the boundary line between the States of Missouri and Iowa, run, marked, and located by Hendershott and Minor in accordance with decree of your honorable court dated Jan. 3, 1851, as have become obliterated, especially between the fiftieth and fifty-fifth mile posts on said line, etc., respectfully submit the following report:

"On the 27th day of February last the commissioners met in the city of Chicago and fully discussed matters pertinent to the proper performance of the duties imposed upon them. Construing the decree as applying to all portions of the boundary line in question, the commissioners decided to advertise in newspapers published in counties in Missouri and Iowa adjacent to the boundary for information regarding such parts of said line as were in dispute or had become obliterated. This was done and considerable information elicited, but as the officials of one of the States interested declined to authorize the work necessary in retracing the line, excepting where directed in the decree, nothing was done beyond the finding and remarking 'with proper and durable monuments' such portions of the line as was necessary for its proper relocation between the 49th and 60th mile points, as shown hereinafter.

"After careful consideration it was decided to apply to Gen'l W. W. Duffield, superintendent U. S. Coast and Geodetic Survey, for a detail from his corps of assistants to perform all field work necessary in carrying out the instructions of the court. It was decided that the employment of expert officers of the Geodetic Survey corps for the services required would result more satisfactorily to the States concerned than would the selection of any private parties, as the high professional attainments of these officers and their freedom from any possible bias regarding the boundary line to be established were ample guarantees for the future reliability and impartiality of any work done by them.

"Correspondence was accordingly had with Gen'l Duffield, who consented to detail two of his assistants, and also to supply them with a complete outfit of all instruments and appliances necessary in the prosecution

Monday, January 18th, 1897. Continued.

of the proposed work. This offer was at once accepted. A meeting was afterwards had in St. Louis March 11th, ult., when it was decided to meet at Lineville, Iowa, a point immediately upon the boundary line between Missouri and Iowa, for the purpose of personal investigation as to the proper point or points at which to commence operations. Two of the commissioners accordingly met at Lineville on March 18th, ult., and spent three days in the examination of the boundary line and of points on said line claimed to have been established by Hendershott and Minor in 1859. The first step taken was to decide regarding the proper points between which our work of relocation of that part of the line designated in the decree of your honorable court, namely, from the 50th to the 70th mile points on the Hendershott and Minor line, should be commenced. It appeared to us that the cast-iron monuments placed by Hendershott and Minor at intervals of ten miles would naturally be more reliable than any traditional points, and the first investigations were made as regarding the 40th, 50th, and 60th mile points, these being originally marked by Hendershott and Minor with iron monuments as stated. After careful examination and much inquiry the commissioners were satisfied that the monuments marking the 40th and 60th mile points were in their original positions. As regarded the monument at the 50th mile point, whilst no positive evidence could be had as to its removal from its original position, the rumors and statements were such as to render its reliability a matter of doubt, and it was, therefore, determined to use the monuments at the 40th and 60th mile points as fixed points between which to relocate the boundary line.

"It was subsequently arranged for the commissioners to meet at Davis City, Iowa, a point on the Chicago, Burlington & Quincy railroad adjacent to the 40th mile point, where it was proposed to commence work. Gen'l Duffield was accordingly notified, and on Wednesday, April 8th, ult., the commissioners reached Davis City and met Messrs W. C. Hodgkins (in charge of work) and A. L. Baldwin, of the U. S Geodetic Survey corps, detailed as per arrangements made with Gen'l Duffield. These gentlemen brought with them a very complete outfit of instruments of the best description used in geodetic work, including all necessary equipment for astronomical observations as well as field-work. We proceeded to the 40th mile point on the afternoon of April 8th, ult., and arranged for the commencement of work the following day. On April 9th, ult., a party for field-work having been organized and the necessary teams and wagons hired, the entire party proceeded to Pleasanton, Iowa, a point situated immediately on the boundary line just east of the 45th mile point. Pleasanton and Lineville subsequently became the bases of operation, our parties changing from one of these points to the other as the necessities of the work required.

"Work was commenced at the 40th mile point, as arranged. It soon became quite evident that the actual boundary line as indicated by points shown and satisfactorily identified differed from the line as would be established by the field-notes of the Hendershott and Minor survey. In order that the relative positions of the actual mile points between the 40th and 60th mile points could be properly determined, and also their true relation to the theoretical points as found in accordance with the courses and distances shown in Hendershott's report, it was deemed necessary to establish a chord or base line twenty miles in length between the 40th and 60th iron monuments to which all points actually found and definitely located or shown and claimed as being upon the boundary line could be referred and from which all points finally determined could be accurately located. For the details of the actual field-work and its results we respectfully refer to the accompanying report of Mr. W. C. Hodgkins, in charge of party (Appendix A). It is proper here to state that the field-work, done as it was in accordance with the precise methods of the U. S. Geodetic Surveys, was necessarily very slow and tedious, but its accuracy, in our opinion, cannot be questioned. The measurement of the twenty-mile base line involved a very great amount of labor, whilst the computations necessary in the exact reduction of the measurements were also very laborious. Complete topographical notes were also taken for the entire work, but the commissioners have deemed it unnecessary to have maps prepared, as their preparation would involve a con-

siderable expense without any corresponding benefit. The very unfavorable weather during a great portion of May and a part of June interfered seriously with the prosecution of the field-work, causing a delay of from two to three weeks.

"Careful examination was made in every instance for the precise location of the original Hendershott and Minor mile points, but out of twenty-one of these points included in the survey only nine, including three iron monuments, could be satisfactorily identified. The 42d, 43d, 44th, 49th, 54th, and 55th mile points were identified and located by evidence entirely satisfactory to the commissioners. As regards the 50th mile point (iron monument), concerning the reliability of which doubt had existed, the commissioners are satisfied that it is very little, if at all, out of its original position—its relation to the 49th mile point (which was clearly identified as Hendershott's original point, as determined by the base line confirming our judgment. After the work of relocation had commenced and preliminary work on the twenty-mile base well advanced, statements were made to the commissioners to the effect that the iron monument at the 60th mile point had at one time been moved from its original position. This being a matter of importance—the monument in question being considered as a fixed point in establishing the base line—an inquiry was had regarding it and a considerable amount of testimony heard. This testimony was very conflicting, but after its careful consideration and the prolongation of the base line some four miles eastward of the 60th mile point the commissioners were satisfied that the monument was occupying its original position.

"The location of the 52d mile point was more difficult and involved a much more extended investigation than for any point established by the commissioners. It was claimed and strongly urged that the original 52d mile point as established by Hendershott and Minor was at a point witnessed by two trees—an elm and an oak—which trees, as well as a point established from them in accordance with Hendershott and Minor field-notes, were shown. The field-notes regarding this point and also the 53d mile point are as follows:

(Chains.)

"(80.00) Set 52d mile post.
Bearings, elm 18 inches diameter, N. 87½° E. 10½ links; burr oak 12 inches diameter, S. 22° W. 28 links.'

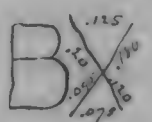
(Continuing:)
"'N. 88° 47 E.'

(Chains.)

"' 0.50 A pond 250 links wide; direction of its length, N. & S.
5.00 Prairie.
15.00 Timber.
20.00 Field (Stukes') fence, nearly N. & S.
57.50 Left field.
80.00 Set 53d mile post. Bearings, black oak 8" diameter, S. 53° E. 15 links; black oak 6" diameter, N. 53° E. 64 links.'

"The trees shown and claimed as being the original witness trees for Hendershott and Minor's 52d mile point agree very well with the field-notes as regards their distance from the 51st mile point, and also as to their relative positions to each other. The distances and bearings of these trees from the point shown and claimed as the original Hendershott mile point also agree with the field-notes closely. Beyond these coincidences, however, there is, in our judgment, nothing whatsoever to warrant a conclusion that they were ever marked as witness trees by Hendershott and Minor. In their report (10th Howard, pages 15 and 16) they state: 'In timber the number of the mile is marked on the witness trees with the letter appropriate to each State, there being one tree marked on each side of the line whenever possible. The foot of each witness tree is marked with the letters 'B L.'' The oak tree shown and claimed to be a witness tree for the 52d mile point had a large 'blaze' on its trunk about five feet from the ground. Nothing whatever could be ascertained by the commissioners to in any manner indicate what, if any, marking had been inscribed on the blaze, nor could any information be had concerning such marking. At the foot of this tree, facing N. 45° E., is to be seen a blaze

on which is plainly discernible the letters 'B X.' The blaze on the trunk of the tree faced directly east, whilst the point to which it is claimed to refer is but 22° east of north from the tree. It is the universal custom of surveyors in marking witness trees, so far as the experience of the commissioners goes, to make such marks so as to face as nearly as possible the point witnessed. The 'B X' mark faces certainly 25° east, and the blaze on trunk of tree 68° east of the point claimed to be witnessed. Measurements of the 'X' mark at base of tree are as follows, in tenths of one foot:



"The mark inclining to the left extends above the letter 'B' and is quite close to the upper curved line. The mark inclining to the right runs closely to the lower part of the 'B.' It would have been quite as practicable to have cut a letter 'L' as an 'X' on the blaze found at foot of this tree, and the commissioners were not prepared to accept this letter 'X' as an 'L' without stronger corroborative evidence than they could obtain. This tree, if marked by Hendershott and Minor, must have been so marked forty-six years ago. A section of the tree at a point eight feet above the ground, the tree being very uniform in size, from three feet above the ground for eight to nine feet above, was cut and sent to Prof. McBride, botanical expert at the University of Iowa, for his opinion (as expert) as to its age, &c.

"In a letter from him to Commissioner Dey, May 19th, 1896, he states:

"'I judge that the tree when felled was 70 years old. Its history runs about as follows: 59 years ago it received an injury (blaze?) of which a scar persists. The tree at the time was about 11 years (11-16) old, and not to exceed, bark included, 3½ inches thick. I say about 11 years, for it takes some years not recorded on the section for a tree to attain six feet in height. 25 years later the tree had added about 2½ inches to its radius. The next 17 years a little more than one inch to the radius, making the diameter of the wood (bark not counted) about 8¼ to 8½ inches. Since this another inch of wood has been added to the radius. Calling this 17 years, (it is more rather than less, as the annual increment is constantly smaller,) we have the total since the scar, 59 years.'

"This oak tree, as shown by Prof. McBride, at a point where section examined by him was cut, was 8¼ to 8½ inches in diameter when 53 to 58 years old. Being 70 to 75 years old, it would have been 24 to 29 years old in 1859, and its diameter where blaze was found could not have exceeded 5 inches. As the blaze shows a face of fully eight inches, it is evident it could not have been cut on a tree with a diameter of only five inches. The diameter of this tree at base, where 'B X' mark was found, is now 15 inches. Applying the proportionate growth of tree as shown by Prof. McBride, and its diameter at base could not have exceeded 8.5 inches 46 years ago, and its size was not sufficient to have received the blaze now shown.

"Regarding the elm tree, also claimed to be a witness tree for the original Hendershott 52d mile point. This tree also has a large blaze about four feet from the ground. Nothing whatever was shown to prove that it ever had any mark upon it (prior to the time of a private survey made in 1893) other than the characters 'S 28.' The letter 'S,' if it ever existed, is now totally obliterated. The figure '2' is still plainly discernible, and a part of the upper portion of a figure '8' to the right of the '2' can also be traced. Nothing was shown to prove that it was ever marked at its base with the letters 'B L,' as it should have been were it a Hendershott witness tree. Diligent search had evidently been made at some time for this mark, as is plainly evidenced by the chopping at its base, and had the proper marks ever been found it is quite certain the fact would have been in evidence before the commissioners.

"The Hendershott notes show that at 20 links eastward of the 52d mile point the bank of a pond was reached, and that the pond itself was 250 links in width, making a distance of 280 links from the 52d mile point to the east bank of pond. The bank of this pond directly east of the 52d mile point, claimed to be witnessed by the 'elm and oak,' has evidently moved eastward to some extent since 1850, as shown by present conditions. Measurements made by the commissioners show that 280 links eastward from the point claimed as the Hendershott 52d mile point reach a point 50 links east of the present bank of the pond. Thirty chains east of their 52d mile point, as seen by their notes, the Hendershott line crossed the 'Stokes' field fence. The line of this fence is still plainly visible. A line straight from the 52d mile point, claimed to be witnessed by the 'elm and oak,' to the 54th mile point will pass at least 70 feet south of the 'Stokes' fence line, as noted by Hendershott. For more than thirty years, and after the establishing of the boundary line by Hendershott and Minor, it is claimed a road was maintained and worked as a Missouri road between the 52d and 54th mile points, and that until within the past five years this fact was never questioned. It is claimed that the line recognized by parties living on both sides of the boundary as being the Hendershott line since his survey and until within the past few years is now plainly shown for a very considerable distance between the 52d and 53d mile points by the line of what is known as the 'Fugate' fence line. It is claimed this fence was put up by one Fugate, the owner of land in and a resident of Iowa (and who was also a surveyor), and who, living as he did close to the line and present when the Hendershott survey was made, probably knew where the true line was and placed his fence on that line. This line very closely agrees with a line running directly from Sullivan's 52d mile point to the 54th mile point, the last named having been satisfactorily identified and located by the commissioners. It is claimed to be improbable that Fugate placed his fence north of the proper line.

"The commissioners most carefully considered all the conditions relating to the point claimed to be the Hendershott 52d mile point and witnessed by the 'elm and oak,' but the more the matter was weighed the stronger became their conclusion that the trees mentioned could not have been the witness trees as claimed. Coincidences of position constitute their claim. It is proper here to state that within a short distance to the north of the 52d mile point as established by the commissioners are the stumps of an elm and burr oak which agree as well as do the other elm and oak as to distance from the 51st mile point, better as to topographical conditions, and are very similar as to the relative position required by the field-notes for the witnesses to the 52d mile point. The commissioners have no idea that these stumps referred to were those of Hendershott's witness trees, but make this statement to show that coincidences such as shown by the 'elm and oak' are not impossible. To have crossed the 'Stokes' fence, in a distance of 30 chains, starting from the supposititious 52d mile point claimed to be witnessed by the elm and oak, an angle of at least 2° to the left would have been necessary, and also another angle to the right equally great in order to run directly to the 54th mile point. Hendershott's notes make no mention of any such angles. The angle recorded as having been made at the 52d mile point was 29′ to the north, the course having been changed, according to the Hendershott notes, from N. 89° 16′ E. to N. 88° 47′ E. We are satisfied, from personal investigation and from points found and referred to our base line, that the original Sullivan line can be readily traced from his 51st mile point to his 52d mile point, and we believe it very probable that the Hendershott line between the 52d and 54th mile points is nearly identical with the Sullivan line. Whilst we did not adopt the Sullivan line between the points named, very good reasons could have been given for doing so. The Hendershott notes make no mention of Sullivan's line after leaving his 49th mile point until his 54th mile point was reached. They make no mention of finding Sullivan's 52d mile point or of any trees on his line, but they say in their report (page 4, 10th Howard Report) that they 'discovered abundant blazes and many witness trees which enabled us to find and remark the said (Sullivan) line as directed by the court.' Also on page 7, same report, it is stated: '*But in heavy bodies of timber no difficulty was experienced in*

discovering evidences of the precise location of the (Sullivan) *line, not only by blazes, but by line and witness trees.*' (Italics are ours.) And on the same page, 'The general topography of the country, and especially the crossing of the streams, greatly facilitated us in following the line, and in some instances, when confirmed by the old blazes, enabled us to establish it with sufficient certainty.' Commencing some ten chains east of the 51st mile point, the country through which the boundary line passes was and is heavily timbered, and, as before stated, the Sullivan line in the timber is at this time readily to be found. The inference that the Hendershott line eastward from the 51st mile was nearly identical with the Sullivan line is quite as strong as the contrary, notwithstanding no mention is made by Hendershott of the Sullivan line after leaving a point 6.20 chains east of the 49th mile point until reaching the 54th mile point.

"The Sullivan line, between the 51st and 52d mile points, as shown by his field-notes, crossed the east fork of Grand River (now called Weldon) three times. This line now, by reason of changes in the bed of the stream, will cross the Weldon five times. With the exception of the 'elm and oak,' there were no traditional or apparent evidences claimed as indicating the original location of the Hendershott and Minor 52d mile point. A line run eastward with the bearings given by the Hendershott notes from their 51st mile point would pass at least 40 feet south of the point indicated by the 'elm and oak.' A line run eastward, as per the Hendershott notes, from the point claimed as the Hendershott and Minor 53d mile point would pass at least 20 feet south of their 54th mile point. The commissioners carefully considered all the comparatively authentic traces of the Hendershott line, together with the topographical conditions given in the notes of the survey. Between the 53d and 54th mile points were found evidences of the Hendershott line, which were satisfactory, and the line established by us was run from the 54th mile point, which, as before stated, was identified, directly to the 53d mile point and passing through the points found between the 53d and 54th mile points. The Hendershott notes show a line direct from the 52d to the 54th mile point.

"The line, as finally established and marked by us, between the 52d and 53d mile points is north of the boundary line as claimed for Iowa and south of that line as claimed by Missouri, and, as it happens, very nearly equally divides the narrow territory in dispute, although there was no intention to compromise the difference. We are satisfied that the line, as established by us between the 53d and 54th mile points, is very nearly, if not identical with, the original Hendershott line and in accordance with the marks of that survey. The same line was produced to the 52d mile point, notwithstanding it passes considerably south of the plainly indicated Sullivan line. The 52d mile point, as established and marked by us, was placed as nearly as possible in accordance with the notes of the Hendershott survey, evidenced by the width of the pond and also its distance from the 'Stakes' fence line.

"The field-notes of the Hendershott and Minor survey show as follows:

"At 6.20 chains eastward from the Hendershott 42d mile point Sullivan's 42d mile point was found and course changed at that point from N. 88° 58' E. to N. 89° 08' E.

"6.37 chains eastward of Hendershott's 43d mile point Sullivan's 43d mile point was found and course changed at that point from N. 89° 16' E. to N. 89° 47' E.

"7.00 chains eastward of Hendershott's 44th mile point Sullivan's 44th mile point was found and course changed at that point from N. 89° 47' E. to N. 89° 9' E.

"6.20 chains eastward from Hendershott's 49th mile point Sullivan's 49th mile point was found and course changed at that point from N. 89° 9' E. to N. 89° 16' E.

"4.07 chains eastward of Hendershott's 54th mile point Sullivan's 54th mile point was found and course changed at that point from N. 89° 14' E. to N. 89° 2' E.

"2.53 chains eastward of Hendershott's 55th mile point Sullivan's 55th mile point was found and course changed at that point from N. 89° 2' E. to N. 89° 27' E.

"In each instance it will be seen that the Hendershott courses are changed at the Sullivan mile points. The decree of your honorable court made January 3, 1851, declared that the line should be direct between each Hendershott mile point, and it is evident that the actual courses between the points referred to above are not in accordance with the recorded courses. It was found by reference to our base line in all cases where the field notes show a straight line between such points that when the distance recorded as a straight line was two or more miles the line is actually a curve. The ordinates measured from the base line do not show any regular rate of curvature, and the curves themselves swing to the south and then to the north, the base line crossing the boundary line three times in twenty miles. The greatest distance of base line from boundary line is at the 55th mile point, which is about 247 feet north of base. The 46th mile point is 160 feet south and the 63d mile point 153 feet south of base.

"It is difficult to account for the discrepancies found between the recorded line as shown in Hendershott's notes and the line actually found. It is quite possible that the irregularities either grew out of the inaccuracy of the solar compass used on the survey or an inaccurate use of the instrument itself.

"We were surprised at the facility with which the Sullivan line could at the time of our survey be traced for considerable distances along the twenty miles of line included in our operations. Of twenty-one mile points from the 40th to the 60th, inclusive, Sullivan had witness trees for fifteen. Some of these witness trees can now be found, and also well-defined line trees mentioned by him. On Hendershott's line only eight mile points out of the twenty-one referred to were witnessed by trees. Had the care shown by Sullivan in marking his line been exercised by Hendershott and Minor the line of the latter would have been much more fully and satisfactorily defined. The hurried manner in which the work of the Hendershott survey was performed (151 miles of relocation, in addition to random lines, having been accomplished in 30 days) may in some measure account for the great lack of witness trees and other evidences necessary for an actual location of the boundary line of 1850. We are inclined to the opinion that, so far as regards the twenty miles mentioned, the Sullivan line can be as readily relocated as can the Hendershott line.

"The decree of your honorable court requires that the line relocated by us shall be marked with durable monuments. Twenty-one mile points included in the line relocated being from the 40th to the 60th mile, inclusive, are now marked as required. The 40th, 50th and 60th miles are marked with the cast-iron monuments originally placed by Hendershott and Minor, in 1850. Mile points intermediate are marked with stone monuments. These are of the best quality of Missouri red granite, are twelve inches square, and from 6' 2" to 6' 6" in length. The stones stand 2' above ground (this portion being hammer-dressed) and are well finished in every particular. On the north side of each stone is plainly cut the word 'Iowa,' on the south side the word 'Missouri,' on the east side the words 'State line,' and on the west the figures denoting the number of the mile point.

"The iron monuments were reset so as to show about 18 inches above ground. The granite monuments were set with great care, their apices being exactly on the line. They were well rammed when placed in ground and will need no witness trees. Their weight averages 1,050 pounds each, and we think they can safely be pronounced both durable and permanent. The amount paid for them includes all freight charges and expenses of delivery and setting.

"Attached hereto (Appendix 'B') is a statement of the expenses consequent upon the relocation and marking that portion of the boundary line between the 40th and 60th mile points, which statement is respectfully submitted for the action of your honorable body.

"Attached hereto (Appendix 'C') is a photograph of the section of the oak tree examined and reported on by Prof McBride.

"JAMES HARDING,
"Comm'r for Missouri.
"PETER A. DEY,
"Comm'r for Iowa.
"DWIGHT C. MORGAN,
"Of Illinois.

"Chicago, Ill., Sep. 18, 1896."

"APPENDIX A.

"U. S. COAST AND GEODETIC SURVEY,
"SALINA, KANSAS, *June 23d*, 1896.

"Gen. James Harding, Hon. Peter A. Dey, Dwight C. Morgan, Esq., commissioners in the matter of the boundary line between the States of Missouri and Iowa.

"DEAR SIRS: I have the honor to submit the following report upon the operations conducted under my direction for the purpose of enabling you to locate and mark by 'durable monuments,' as required by the decree of the Supreme Court of the United States dated February 3rd, 1896, that portion of the boundary line between the States of Missouri and Iowa which lies between the fortieth and sixtieth mile posts east of the old northwest corner of Missouri, as marked in 1850 by H. B. Henderson and W. G. Minor, commissioners.

"It appears unnecessary for me to make any mention in this report of the antecedent circumstances leading up to this survey, as you are well acquainted with them, and will, no doubt, take occasion to allude to them in your own report to the Supreme Court.

"I therefore pass at once to my own work.

"Your board having applied to General W. W. Duffield, superintendent of the U. S. Coast and Geodetic Survey, for the detail of an officer to make the necessary surveys, I was selected for that duty, and Mr. A. L. Baldwin, also of the C. & G. Survey, was assigned to the party as assistant observer.

"In compliance with the request of your board, received through Mr. Morgan, we met you on April 8th, 1896, at Davis City, Iowa. A preliminary inspection of the western portion of the field of work was made on that day and the organization of the party was completed by engaging laborers and teams.

"On the following day the whole party was transferred to the village of Pleasonton, Iowa, that place being centrally located for the western half of the work, as it is directly on the boundary and just east of the forty-fifth mile post.

"A partial examination of the line, as identified by more or less reliable traditions current in its neighborhood, made it evident that its course in many places deviated widely from the description given in the field-notes attached to the report of the former commission. (Howard's Reports, Supreme Court U. S., vol. X.)

"Not only do the bearings differ from those recorded in that report, but portions of the line which are there called straight were found to be curved or composed of broken lines.

"Under these conditions it seemed inexpedient to attempt to reproduce upon the ground the courses and distances of the former survey.

"Such an attempt would undoubtedly have led to serious confusion, and would have furnished little information of real value, while the labor of making the necessary corrections would have been excessive.

"In place of that undesirable plan I adopted, with your approval, the method of measuring a base line straight across the country for the twenty miles to be surveyed.

"All of the old points which were recovered and all new points which it became necessary to locate upon the ground were directly referred to the base line, which, from a mathematical point of view, is the axis of abscisse in a system of rectangular co-ordinates.

"It seems scarcely necessary to mention the advantages which this method affords in point of simplicity and accuracy of work, but it may do no harm to allude very briefly to a few of them.

"Thus the relative positions and bearings of different portions of the boundary can be readily found with far greater precision than would otherwise be easily practicable.

"Moreover, in this system of work each point of the boundary is fixed independently of every other point, all being directly referred to the base line. This characteristic permits any desired local correction to be made at any point without necessarily affecting points on either side, a feature which I consider very essential in work of this character. The base line

was so selected as to be along the general direction of the boundary, which is first crossed it three times, eleven of the twenty-one monuments being north of the base and the other ten south of it.

"This statement well illustrates both the irregularity of the boundary and the fact that the base line is very close to the general direction of the line.

"Another important consideration in the selection of the base line was to make it pass through the towns of Pleasanton and Lineville without meeting obstructions and without damaging private property.

"This was successfully accomplished, and in the whole course of the line remarkably little tree-cutting was needed. The base line was ranged out with an eight-inch theodolite, the standards of which were high enough to permit the telescope to transit. The telescope was of excellent quality and was provided with an eyepiece micrometer, by means of which slight deviations from the straight line could be measured and corrected.

"As the work of locating the base line advanced eastward the party was moved to Lineville, Iowa, which town is situated just north of the boundary line and between the fifty-sixth and fifty-seventh mile posts, and thence-forward operations were conducted from either Lineville or Pleasanton, as was found more convenient from time to time.

"As soon as the line was opened, and even before the final adjustment of its eastern terminus, the linear measurement was begun by Mr. Baldwin, with the assistance of the commissioners, working westward from the east end of the base, near the sixty mile monument.

"When about five and one-half miles had been so measured I was ready to take personal charge of the measurement, and began at the west end of the base, near the forty-mile monument, working thence eastward to a junction with the line above mentioned.

"The system of measurement employed was that ordinarily used in the Coast and Geodetic Survey for direct measures not requiring the base apparatus.

"A narrow steel tape, twenty-five meters in length between end marks, was stretched under a tension of ten kilogrammes, as indicated by a spring balance attached to one end of the tape. The successive tape-lengths were marked on stakes driven into the ground.

"As the tape necessarily follows very closely the inclination of the ground, the horizontal distance will be less than the measured distance, and the correction for slope must be computed for each tape-length, the difference of height between the ends being determined by spirit-level. The very irregular profile of this line made these differences of height unusually great, and correspondingly increased the amount of correction.

"A small correction for catenary is also necessary when the tape swings clear of the ground, the 'sag' of the tape slightly decreasing the distance between its ends. Further, as all metallic measures vary in length with changes of temperature, it is necessary to apply a correction for such variations, the length of the tape being known at the temperature of zero Centigrade.

"Temperatures were accordingly noted at frequent intervals, usually at every fourth tape.

"The direct measurement was completed on May 8th, although the eastern part of the line had still to be levelled.

"The computations were at once taken in hand and the resulting distances were furnished you as rapidly as possible.

"These results, for present purposes and as compared with ordinary measures, may be considered practically exact, and they show that the chain used by the surveyors of 1850 was too long, probably from the combined effects of abrasion and of high temperature.

"The distances between such of the old points as were recovered are nearly always too great. The ratio of excess is not constant, as, indeed, would hardly be expected, but shows a tendency to increase in going from west to east.

"A marked exception to this rule of excess in distance is found in the fifty-second mile. The eastern end of this mile was not recovered, but was found with reasonable certainty from various considerations, while the reputed point at the western end was recovered. The mile so deter-

mined is noticeably less than a statute mile. The western part of this mile traverses a very steep, rough, and wooded country, while its eastern part crossed the Weldon River three times in 1859.

"These natural difficulties in the way of accurate measurement probably caused the shortage in this particular mile.

"In my own work I found it desirable to avoid the direct measurement of this mile, which is even more unfavorable now than in 1859, the Weldon having changed its course sufficiently to cross the base line five times at present.

"For this purpose a branch base about seven-eighths of a mile in length was measured on the flat ground east of the Weldon, and the distance across the broken section was then obtained with great precision by triangulation. The distances across the Grand River and Little River were also obtained by triangulation.

"Whenever in the course of the measurement we passed a point which it was desirable to refer to the base line, the point at which its rectangular ordinate met the base line was noted and the length of the ordinate itself was measured. The relative positions of these various points thus became known, including not only such of the mile points as could be identified, but also numerous objects commonly reputed to mark the boundary, as fences, trees, stones, etc.

"As far as possible in connection with the measurement, notes were made to provide material for a topographic sketch of the strip of country traversed by the boundary.

"As stated above, the measurement was completed on May 8th. As rapidly as the reductions were computed the places for the mile stones were marked on the ground from the fortieth to the forty ninth.

"The weather, which up to that time had been generally favorable, now became very wet. The frequent and heavy rains seriously interfered with the work, and rendered progress across the country very slow, the roads being nearly impassable and the fords quite so. On May 18th the exigencies of the regular work of the Coast and Geodetic Survey compelled the detachment of Mr. A. L. Baldwin, who had rendered energetic and efficient assistance in the work.

"On the same day I moved from Pleasanton to Lineville to resume work on the eastern part of the line. In the intervals between rains I completed the levels, and, after computing the distances, marked the places for the mile posts, a work in regard to which further details will be given below. The topographic notes were also completed.

"In order to furnish as much information as possible in regard to this portion of the boundary line, observations for the approximate determination of the latitude and longitude and of the astronomical azimuth or bearing of the base line were made at Pleasanton and at Lineville.

"Bad weather interfered with the observations at Pleasanton, and at Lineville the lack of time and unfavorable local conditions somewhat affected the precision of the results, which answer, however, the purpose desired. Latitude and azimuth were obtained by observations on Polaris (α Ursæ Minoris) with the theodolite. Time was obtained by sextant observations of the sun, using a mercurial horizon and the method of equal altitudes. For longitude the local time was compared with the railroad telegraphic time signals. It remains for me only to state briefly the old points which were recovered and the conditions which, under your decisions, governed the location of those points which were not identified by local marks.

"The fortieth, the fiftieth, and the sixtieth mile points were found marked by the iron monuments placed there by Commissioners Hardersbett and Minor in 1859. There was some dispute as to whether No. 60 was in its original position or not, but the weight of evidence and the continuity of the traditional line on either side of it indicated pretty conclusively that it had never been disturbed.

"The remaining points were originally marked by stakes, sometimes witnessed.

"No. 42, while not directly identified by marks, was satisfactorily recovered by means of a 'line tree' four chains W. and by topographical notes at crossing of Grand River, as shown in original record.

"No 44 was restored, by measurement from the two witness trees, the decaying stumps of both of which were found.

"No. 49 was also identified by the stumps of both witness trees.

"No. 51 was marked by a 'mound and pit,' which have been accepted for years as the true marks.

"No. 54 was marked by a stone, and was further identified by one witness tree.

"No. 58 was recovered by traces of the stakes in addition to the remains of the witness tree, and the point established by J. C. Sullivan in 1846 was also found a little further east, and also the stump of an elm tree, noted as a 'line tree' in both Sullivan and Hendershott notes, being 4.10 chains W. of Hendershott's 58th mile point. The remaining points were located in the following manner.

"No. 41 was placed midway on line between 40 and 42.

"No. 43 was so placed as to preserve the relations with 42 and 44 required by the field notes of 1850, and after being so located was found to agree with the stump of the witness tree on the Iowa side of the line.

"No. 45 was placed in the middle of the street bounding Pleasanton on the south, which middle line is shown as the boundary on the official plat of the town on file at the county-seat, and at the proper distance along the line averaging to the 49th mile.

"No 46 was similarly located on the line passing from 45 through a stone pointed out by tradition as marking the line.

"No. 47 was placed at the proper distance on a line drawn straight from 49 westward through a witnessed section corner between 47 and 48.

"No. 48 was placed on the same line midway between 47 and 49.

"No. 52 was located at a point west of the pond or lake in the Weldon bottom agreeing with the topographic description given by the former commissioners and on a line agreeing as closely as possible with all of the apparently authentic traces of the line surveyed in 1850.

"No. 53 was placed a mile west of 54 on the straight line between 52 and 54.

"No. 55 was placed a mile east of 54 on the extension of the line drawn from 54 through a witnessed stone at the corner common to Wayne and Decatur Counties, Iowa.

"Nos. 56 and 57 were placed at mile distances on the straight line drawn from 55 through an iron pin at the southwest corner of the streets surrounding the public square at Lineville, which pin was universally accepted as a point marking the boundary. Unsuccessful search was also made for the remains of a wooden post which formerly stood a little further east.

"No. 59 was placed midway between 58 and 60, in the manner required by the field-notes of 1850.

"While this work was in progress many of the inhabitants along the line asked that additional points, intermediate between the mile points, might be furnished them, and with your approval this was done.

"In accordance with the decree of the Supreme Court dated January 3rd, 1851, such points were always placed on the straight line between the adjacent mile posts. The final observations were made on the afternoon of June 13th, and the instruments were then packed, and on the 15th were shipped to Washington.

"I left Lineville on June 15th, also, to resume my regular duties in the Coast and Geodetic Survey.

"In closing this report permit me to express my appreciation of the uniform courtesy and consideration shown my assistant and myself by all the members of the commission, and my hope that our earnest labors in this interesting work have proved satisfactory in methods and results, and that they may be instrumental in permanently settling this controversy.

"The appended pages give in summarized form the results of the observations and measurements, as well as the mathematical formulæ employed.

"Respectfully submitted.

"W. C. HODGKINS,

"*Assistant, Coast & Geodetic Survey, Chief of Party.*"

"APPENDIX A.

"The following table gives the bearings and distances between the successive mile posts of the Missouri-Iowa boundary from the fortieth to the sixtieth mile east of the initial point as the said mile posts were relocated and marked by James Harding, Peter A. Dey, and Dwight C. Morgan, commissioners, in 1896.

"The distances are given to the nearest tenth of a metre and to the nearest half foot, and the bearings or azimuths to the nearest quarter minute.

"The azimuth is reckoned from the south point as zero in the direction of west, north, and east successively—*i. e.*, 90° means due west, 270° due east, etc.

"The convergence of the meridians is 44½ seconds for each mile. The bearings going west, or back azimuths, are therefore in each case three-fourths of a minute greater than the eastern or direct azimuths.

"Mile.	Azimuth.	Back azimuth.	Distance.	
			Metres.	*Feet.*
40 to 41	268° 57¼′	88° 58¼′	1,610.1	5,282½
41 to 42	268 58¼	88 59½	1,610.1	5,282½
42 to 43	269 20¼	89 21½	1,610.1	5,282½
43 to 44	269 58¼	89 59½	1,609.8	5,281½
44 to 45	269 52¼	89 53½	1,610.7	5,284
45 to 46	269 51	89 51¾	1,610.2	5,283
46 to 47	269 11	89 11¾	1,610.1	5,282½
47 to 48	268 55½	88 56¾	1,610.1	5,282½
48 to 49	268 56¾	88 57	1,612.7	5,291
49 to 50	269 16¾	89 17¾	1,608.3	5,276½
50 to 51	269 04¾	89 05¾	1,613.3	5,293
51 to 52	268 10¾	88 11	1,595.8	5,235½
52 to 53	268 17¾	88 18¾	1,628.1	5,342
53 to 54	268 18¾	88 19¾	1,613.2	5,292½
54 to 55	268 57½	88 58¾	1,611.5	5,287
55 to 56	269 33	89 33¼	1,611.5	5,287
56 to 57	269 33¼	89 34½	1,611.5	5,287
57 to 58	270 48	90 48¼	1,612.0	5,289
58 to 59	270 36¼	90 37½	1,613.8	5,294½
59 to 60	270 39	90 39¼	1,613.8	5,294½

"*Offsets from Base Line.*

	M.			M.	
"Mon't No. 40,	3.3 = 11	ft. N.	"Mon't No. 51,	23.7 = 78	ft. S.
" " 41,	8.8 = 29	" "	" " 52,	7.6 = 25	" N.
" " 42,	14.3 = 47	" "	" " 53,	36.2 = 119	" "
" " 43,	9.8 = 32	" "	" " 54,	64.8 = 212½	" "
" " 44,	12.1 = 40	" S.	" " 55,	75.4 = 247	" "
" " 45,	31.0 = 102	" "	" " 56,	69.5 = 228	" "
" " 46,	48.7 = 160	" "	" " 57,	85.7 = 280	" "
" " 47,	47.3 = 155	" "	" " 58,	23.4 = 77	" "
" " 48,	38.3 = 125½	" "	" " 59,	11.3 = 37	" S.
" " 49,	29.4 = 96½	" "	" " 60,	46.6 = 153	" "
" " 50,	29.6 = 97	" "			

"*Note on the Reduction and Results of the Astronomical Observations at Lineville, Iowa.*

"For latitude the observed altitudes of Polaris were reduced by the method and table given on page 534 of the American Ephemeris, with the result:

"Approximate latitude = 40° 34′.6.

Comparisons of local mean time, obtained by sextant observations of the sun, with railroad time signals, gave the following result:

"Approximate longitude (W. of Greenwich) = 93° 32'.

"For azimuth the observations of Polaris were reduced by the formula

$$\tan A = \frac{\sin t}{\cos \phi \tan \delta - \sin \phi \cos t},$$

in which the letters have the following significations:

A = the azimuth of the star at the instant of observation.
t = the hour angle " " "
δ = the declination " " "
ϕ = the latitude of the place.

"Resulting azimuth of base line = 89° 21' 49" east of north.

"These results transferred to the monuments at each end of this 20-mile section give the following:

	Lat.	Long.	Azimuth.
40-mile mon't	40° 34'.4	93° 51'	269° 14' 49"
60-mile mon't	40 34.6	93 28	89 29 40

the azimuth at each point being the bearing of the straight line joining the two points."

"APPENDIX C.

(One-third natural size.)

Photograph of a section of the oak tree at the Fifty-second mile point, supposed to be witness tree in the Iowa–Missouri boundary. The dark line indicates the size of the stem fifty years ago.

Monday January 8th, 1894 Continued

"APPENDIX B.

"*Account of Expenses Incident to the Relocation and Remarking the Boundary Line between the States of Missouri and Iowa from the 40th to the 60th Mile Point, under Decree of the Supreme Court of the United States, February 5, 1890.*

"Pay of engineers:

W. C. Hodgkins, (U. S. Geodetic Survey Corps.) 74 days (@ $5.00)	$370 00	
A. L. Baldwin, (U. S. Geodetic Survey Corps.) 41 days (@ $5.00)	205 00	
Transportation from Washington, D. C.	77 75	
" to Salina, Kansas	41 14	
Freight on instruments returned to Washington	8 32	
		702 21
Pay of one assistant (14 days (@ $2.50) and laborers		190 50
Subsistence of parties in field		421 75
Hire of teams and drivers and feed for teams		342 25
Paid for eighteen granite monuments in place		922 00
Miscellaneous expenses paid, (telegrams, township plats, signal materials, clerical work and typewriting, repairs of instruments, storage, &c., &c.)		171 60
Advertising, Missouri and Iowa		133 30
Commissioners:		
James Harding, comm. for Missouri, 78 days @ $10.00	780 00	
James Harding, travelling expenses	161 85	
		941 85
Peter A. Dey, comm. for Iowa, 60 days @ $10.00	600 00	
Peter A. Dey, travelling expenses	189 47	
		789 47
Dwight C. Morgan, comm. 46 days @ $10.00	460 00	
" " travelling expenses	198 63	
		658 63
Total		$5,273 56"

And it is ordered, adjudged and decreed that the boundary line between said States of Missouri and Iowa in controversy herein be, and it is hereby, established and declared to be, as delineated and set forth in said report.

It is further ordered, adjudged and decreed that the compensation and expenses of the commissioners and the expenditures attendant upon the discharge of their duties be, and they are hereby, allowed at the sum of five thousand two hundred and seventy-three dollars and fifty six cents ($5,273.56), in accordance with their report as confirmed as aforesaid, and that said charges and expenses with the costs of this suit to be taxed be equally divided between the parties hereto.

And it is further ordered, adjudged and decreed that the clerk of this court forthwith transmit to the Chief Magistrates of the States of Missouri and Iowa copies of this decree, duly authenticated under the seal of this court.

Per Mr. Chief Justice Fuller

True copy.

Test:

Clerk Supreme Court U. S.

535. William Dugald Stuart, Pltff in Error, vs. The City of Easton et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

534. The United States, Appellant, vs. Ranlett & Stone. On consideration of the motion to advance this cause for argument, It is now here ordered by the Court that said motion be, and the same is hereby, denied, with leave to renew the same at the next term; and the case will be taken on printed briefs at any time before the second Monday of April.

Per Mr. Chief Justice Fuller.

684. The Reliance Marine Insurance Company, Limited, Appellant, vs. The New York and Cuba Mail Steamship Company et al. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here

the same is hereby, denied.

Per Mr. Chief Justice Fuller

Ex parte In the matter of Gustave Alix, Master of the Belgian Steamship "Caucase", Petitioner. On consideration of the motion for leave to file a petition for a writ of prohibition herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller

Ex parte In the matter of Gustave Alix, Master of the Belgian Steamship 'Caucase', Petitioner. On consideration of the petition of Gustave Alix, Master of the Belgian Steamship 'Caucase'.

It is now here ordered by the Court that cause be shown by the Judge of the District Court of the United States for the District of New Jersey before this Court at Washington, on Monday, February 1st, 1897 at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard why a writ of prohibition should not be granted, as prayed in said petition.

Per Mr. Chief Justice Fuller

Ex parte In the matter of The Singer Manufacturing Co., Petitioner. On consideration of the motion for leave to file a

writ of mandamus herein, and of the argument of Counsel thereupon had in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Taney.

Ex parte In the matter of The Singer Manufacturing Co. Petitioners. On Consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of Counsel thereupon had in support of the same. It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Taney.

575 Jesse Nosire and John Nosire, Plaintiffs in Error, v. The United States. On Consideration of the motion to amend the judgment entered herein on January 4, 1847, It is now here ordered by the Court that said judgment be, and the same is hereby amended and reformed.

Per Mr. Chief Justice Taney.

by counsel for the appellant to dismiss this appeal having been filed herein, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

552. Jacob Goes, Appellant, vs. The United States. On motion of Mr. Assistant Attorney General Dodge, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

104. Henry M. Reelor, Appellant, vs. Edward Fitzgerald. On motion of Mr. S. H. Williams, of counsel for the appellee, It is ordered by the Court that this cause be placed on the call for to-morrow.

626. Hoke Smith, Secretary of the Interior et al., Appellants, vs. Jefferson Raynolds et al. On motion of Mr. Assistant Attorney General Whitney, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument after case No. 266.

563. The Interstate Commerce Commission, Appellant, vs. The Alabama Midland Ry Co. et al. On motion of Mr. Assistant Attorney General

ordered by the Court that counsel on each side be allowed one hour additional time for the argument.

594. Henry B. Tompkins, Plff in Error, vs. Frances M. Cooper, Admx. &c. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments of Mr. A. G. Glenn, in support of the same, and Mr. Alex. C. King, in opposition thereto.

28. The Cunard Steamship Co., Appellant, vs. Cyprien Fabre, Manager &c. Mr. R. D. Benedict, of counsel for the appellee, submitted to the consideration of the Court a motion to fix a day for the re-argument of this cause.

1449. The United States, Appellant, vs. Hong Kim &c. On motion of Mr. J. Hubley Ashton of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of Section 4 of Rule 26.

525. The Louisville Water Co., Plff in Error, vs. The Commonwealth of Kentucky. The motions to dismiss or affirm in this cause were

Consideration of the Court on the record and printed arguments by Mr. James P. Helm and Mr. Helm Bruce, in support of the same, and Mr. P. L. Burnett, in opposition thereto.

458. The City of New Orleans, et al., vs. Appellants; The Citizens Bank of Louisiana. The State of Louisiana ex rel. The Citizens Bank of Louisiana vs. Appellee in Error; The Board of Assessors for the Parish of Orleans et al.

The argument of this cause was continued by Mr. M. J. Cunningham of counsel for the State Tax Collectors and Assessors and Mr. William A. Maury, of counsel for The Citizens Bank of Louisiana, and concluded by Mr. Samuel L. Gilmore, of counsel for the City of New Orleans.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

614. Thomas Allen, Plff. in Error, vs. The State of Georgia. This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. H. C. Glenn, of counsel for the plaintiff in error, and Mr. J. M. Terrell and Mr. John R. Cooper, of counsel for the defendant in error.

1074. Henry M. Reeder, Appellant, vs. Alpheus Knight, Edward Fitzgerald &c. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court

the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

639. Edwin and Oliver H. Norton, Appellants, vs. Milton A. Wheaton. The return to the rule herein was argued by Mr. Calderon Carlisle, of counsel for the appellant in case No. 705, and Mr. John A. Miller, of counsel for the appellants herein, and submitted on a printed argument by Mr. Milton A. Wheaton in propria persona.

111. The Grand Lodge of the State of Louisiana, F. & A. Masons, Plff in Error, vs. The City of New Orleans. This cause was argued by Mr. Charles F. Buck, of counsel the plaintiff in error, and Mr. Samuel L. Gilmore, of counsel for the defendant in error.

162. Joseph Robinson, Appellant, vs. W. A. Caldwell. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Robinson, of counsel for the appellant, and Mr. Charles A. Maxwell and Mr. George S. Chase,

635. Warren E. Price, vs. The United States. This cause was submitted to the Consideration of the Court on the record and printed Arguments by Mr. Warren E. Price, in person pro se, and Mr. Assistant Attorney General Dickinson, of Counsel for the defendant in error.

577. Dennis Davis, vs. The United States. This cause was submitted to the Consideration of the Court on the record, writ leave to Counsel to file printed arguments hereafter.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday, January 20th 1896.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
Horace Gray, } Associate
David J. Brewer, } Justices.
Henry B. Brown,
Edward D. White,
Rufus W. Peckham.

John M. Wright, Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Shafroth it is ordered that Edgar Wilson, Esquire, of Boise City, State of Idaho, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

615. Caroline M. Forsyth, Appellant, vs. The City of Hammond et al. The argument of this cause was commenced by Mr. W. A. N. Miller, of Counsel for the appellant, continued by Mr. Charles W. Aldrich, of Counsel for the appellees, and concluded by Mr. Benjamin Harrison, of Counsel for the appellant.

163. The Oceanic Steam Navigation Company Claimant &c, vs. Appellant, Grace Howard Potter et al

The argument of this Cause was Commenced by Mr. Frederick W. Whitridge on the part of the Appellant

Counsel for the Appellee

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

163. The Oceanic Steam Navigation Company, Claimant &c., Appellant vs. Grace Howard Potter et al.

The argument of this Cause was continued by Mr. Frederick W. Whitridge, of Counsel for the appellees, and Mr. Ernest Wheeler, of Counsel for the appellant, and concluded by Mr. Willard Parker Butler, of Counsel for the appellees.

164. The United States, Appellant, vs. Henry G. McMillan et al.

This Cause was argued by Mr. Assistant Attorney General Dodge, of Counsel for the appellant, and Mr. Arthur Brown, of Counsel for the appellees.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Edward D. White
Rufus W. Peckham
Associate Justices.
John M. Wright, Esquire, Marshal
James A. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. David B. Hill it is ordered that Joseph Miller and Mack Ash, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James G. Maguire it is ordered that Carl E. Lindsay, Esquire, of Santa Cruz, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Clementine Ulman, by her husband and next friend Alfred J. Ulman

1744. vs. Writ of Error,

The Mayor and City Council of Baltimore, et al.

This cause was argued by Mr. Th. R. Walker, of Counsel for the plaintiff in error, and Mr. Thomas G. Hayes, of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer Associate
Henry B. Brown Justices.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Constantine J. Smyth, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. A. H. Garland it is ordered that John M. Barker, Esquire, of Mexico, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Squire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

158. Alfred Clarke, Pl'ff in Error, vs. J. J. McCabe, Def't in Error. In Error to the Superior Court of the City and County of San Francisco, State of California.

This cause came on to be heard on the transcript of the record from the Superior Court of the City and County of San Francisco, State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Bradley

159. Alfred Clarke, Pl'ff in Error, vs. J. J. McCabe, Def't in Error. In Error to the Superior Court of the City and County of San Francisco, State of California.

This cause came on to be heard on the transcript of the record from the Superior Court of the City and County of San Francisco, State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Bradley

160. Alfred Clarke, Pltff in Error vs. C. W. Mott et al Deft

In Error to the Superior Court of the City & County of San Francisco State of California

This cause came on to be heard on the transcript of the record from the Superior Court of the City and County of San Francisco, State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Bradley

161. Alfred Clarke, Pltff in Error vs. C. W. Mott et al Deft

In Error to the Superior Court of the City & County of San Francisco, State of California

This cause came on to be heard on the transcript of the record from the Superior Court of the City and County of San Francisco, State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Bradley

165. Alfred Clarke, Plaintiff in Error, vs. J. J. McDade. In Error to the Superior Court of the City and County of San Francisco, State of California.

This cause came on to be heard on the transcript of the record from the Superior Court of the City and County of San Francisco, State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Peckham.

334. Robert Robertson, P. H. Olsen, John Bradley and Morris Hansen, Appellants, vs. The United States and Barry Baldwin, individually and as Marshal of the United States for the Northern District of California, Appellees. Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brown.

Mr. Justice Gray was not present at the argument and took no part in the decision of this case.

325. The United States, Appellant, vs. William J. Burnett. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is, hereby affirmed.

Per Mr. Justice Gray.

(Mr. Justice Field and Mr. Justice Brewer took no part in the consideration of this case.)

No. The Capital Bank of St. Paul, Minnesota, vs. Riffin Bros., School District No. 16, Barnes County, North Dakota. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon, and it appearing to the Court that the said Circuit Court of Appeals has not passed upon the questions presented by the record in this case, and that the case is not one in which this Court will ordinarily require such questions to be certified by the Circuit Court of Appeals, it is now here ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

525. The Louisville Water Company, vs. Error. The Commonwealth of Kentucky. It is ordered by the Court that the further consideration of the motions to dismiss or affirm herein be, and the same is hereby, postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

594. Henry B. Tompkins, vs. Error. Frances M. Cooper, Administratrix &c. On consideration of the motion to dismiss herein and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

403. Boyden Power Brake Co. et al., vs. Appellants, George Westinghouse, Jr., et al.

426. George Westinghouse, Jr., et al., vs. Appellants, Boyden Power Brake Co., et al. It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on the first Monday of March, after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

The Cunard Steamship Company, Appellant
vs.
Cyprien Fabre, Manager &c.

On consideration of the motion to fix a day for the argument of this cause, It is now here ordered by the Court that this cause be, and the same is hereby, assigned for argument as heretofore directed, on the first Monday of March next after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

12. The Northern Pacific Railroad Co.
vs.
Joseph Griffin Exor.
Junius G. Sanders et al
vs.
The Northern Pacific Railroad Co.

553 The Interstate Commerce Commission, Appellant
vs.
The Alabama Midland Railway Co.

554 The Interstate Commerce Commission, Appellant
vs.
The Detroit, Grand Haven & Milwaukee Railway Company.

It is ordered by the Court that these cases be, and they are hereby reassigned for argument on the second Monday of March next.

Per Mr. Chief Justice Fuller.

Clementine Ulman, by her husband and next friend Alfred J. Ulman, vs. Plff in Error
The Mayor and City Council of Baltimore and Lewis N. Hopkins, City Collector.

In Error to the Court of Appeals of the State of Maryland.

174.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Chief Justice Fuller.)

The Chief Justice announced that the Court would adjourn from Monday, February 1st to Monday, March 4th.

Pullman's Palace Car Co., vs. Appellant, Central Transportation Co.

Mr. F. D. Richard, of Counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

463.

Lowry N. Humes, vs. Plff in Error, The United States.

Mr. Assistant Attorney General Whitney, of counsel for the defendant in error, submitted to the

450.

this cause.

310. A. S. Churchill, Attorney General, etal, Appellants, vs. Oliver Amos et al, } Mr. Constantine J. Smyth, of counsel for the appellants, submitted to the consideration of the Court a motion to fix a day for the argument

311 A. S. Churchill, Attorney General, etal., Appellants, vs. George Smith et al } and

312. A. S. Churchill, Attorney General, etal., Appellants, vs. Henry L. Higginson et al } of these cases

Ex parte In the matter of Phillip Stein, Petitioner } Mr. William A. Singleton submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

694. The Safety Insulated Wire and Cable Company, Petitioner, vs. The Mayor &c. of Baltimore } The petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on a printed argument by Mr. William Pinkney Whyte, in support of the same.

217 The Northern Pacific R.R. Co., Appellant, v. Cliff in Error, (Nellie Beaton) — On motion of Mr. A.B. Browne, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

278 Daniel A. Canfield et al., Appellants, v. The United States — On motion of Mr. A.B. Browne, leave is hereby granted to Mr. C.W. Bunn to file a printed brief herein.

5, Original. Ex parte In the matter of Samuel J. McCauley, Petitioner.
4, Original. Ex parte In the matter of Israel C. Kollock, Petitioner.
10, Original. Ex parte In the matter of William O. Luby, Petitioner.

The argument of these cases was commenced by Mr. Henry E. Davis, of counsel for the petitioners, continued by Mr. Solicitor General Conrad, of counsel for the respondent, and concluded by Mr. J.M. Wilson, of counsel for the petitioners.

102. The Panama Railroad Co., Appellant, v. The Napier Shipping Company, Limited. — This cause was argued by Mr. F. A. Conkling, of counsel for the appellant,

Mynderse, of Counsel for the appellee.

170. Joaquin Martin
vs.
The Atchison, Topeka & Santa Fe Railroad Co.

This cause was submitted to the consideration of the Court on the record with leave to counsel for the plaintiff in error to file a brief within one week and Counsel for the defendant in error to file a brief within ten days thereafter.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 4th, 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John M. Barker it is ordered that Sullivan W. Fry, Esquire, of Mexico, Audrain County, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Alfred Sherwood, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Jenson Engineering and Foundry Company
vs. Appellant
The Steam Yacht "Paradox," her engines &c, Aaron Reynolds Claimant

Appeal from the District Court of the United States for the Southern District of New York

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

179.

Lafayette Hudson
vs. In Error,
The United States

In Error to the District Court of the United States for the Western District of Arkansas

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller

171. Margaret E. Walker vs. Plff in Error; The New Mexico & Southern Pacific Railroad Co. This cause was argued by Mr. Reed B. Field, of Counsel for the plaintiff in error, and Mr. Robert Dunlap, of Counsel for the defendant in error.

172. Charles Wade vs. Plff in Error; R. H. Lawder and Rosa Ringo, Administrators &c. This cause was argued by Mr. John M. Barker, of Counsel for the plaintiff in error, and Mr. William H. Fry, of Counsel for the defendants in error.

173. The Burlington Gas Light Co., vs. Plff in Error; The Burlington, Cedar Rapids & Northern Railway Co. This cause was argued by Mr. P. Henry Smyth, of Counsel for the plaintiff in error. No Counsel appeared for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Associate Justices

Proclamation being made the Court is opened.

325. The United States, Appellants, vs. William J. Brennan. On motion of Mr. John S. Blair, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

343. James Murphy, Plff in Error, vs. The State of Washington. In Error to the Supreme Court of the State of Washington.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 16th rule of this Court, now here ordered and

in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

183. The United States, Appellant, vs. Donaciano Jurado et al. — On motion of Mr. Matt G. Reynolds, of Counsel for the appellant, It is ordered by the Court that these cases be, and they are hereby,

185. The United States, Appellant, vs. Jesus Armijo y Jaramillo. — dismissed.

175. The Steam Tug "John G. Stevens" et al., Appellants, vs. Frederick A. Gladwish et al. — This cause was argued by Mr. Harrington Putnam, of Counsel for the appellants, and Mr. Mark Ash and Mr. J. Parker Kirlin, of Counsel for the appellees.

177. Edward Hodgson, Plaintiff in Error, vs. The State of Vermont. — On motion of Mr. E. J. Phelps, of Counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed, and assigned for argument on the second Monday of March next, after the cases heretofore assigned for that day.

180. Celestine Pim, Plff in Error, vs. The City of St. Louis def't

Reargument of this Cause was Commenced by Mr. Hoven & Mr. Bell, of Counsel for the Plaintiff in error. The Court declined to hear further argument.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Edward D. White
Rufus W. Peckham
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joshua Eric Dodge it is ordered that Charles N. Butler, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. M. White it is ordered that H. P. Gardiner Esquire of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

187. The United States, Appellant, vs. James C. Reed.
188. The United States, Appellant, vs. James C. Reed.

On motion of Mr. Assistant Attorney General

and they are hereby, passed subject to the provisions of section 9 of Rule 28.

191. B. F. Dowell et al., vs. Appellants. Daniel H. Applegate et al. vs. Appellees. This cause coming on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is ordered by this Court that this cause be, and the same is hereby, passed.

195. The Rio Arriba Land and Cattle Company, Appellant, vs. The United States. On motion of Mr. Matt G. Reynolds of counsel for the appellee. It is ordered by the Court that this cause be, and the same is hereby passed and assigned for argument with case No. 208 to one side.

197. William Pinkerton et al., Appellants, vs. The United States. On motion of Mr. Matt G. Reynolds, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 26.

182. Thomas F. Carter et al Executors, vs. Appellees. Clara Mace, Admrx. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. C. W.

Counsel appeared for the defendant in error.

186. Martin B. Hayes, Appellant, vs. The United States. This cause was argued by Mr. John A. Knabel, of Counsel for the appellant, & Mr. Matt G. Reynolds, of Counsel for the appellee.

187. The United States, Appellant, vs. Joshua Gorham. This cause was argued by Mr. Alexander Porter Morse, of Counsel for the appellant, and Mr. John Wharton Clark, of Counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable John M. Harlan, Associate Justices
Horace Gray
David J. Brewer
Henry B. Brown
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Harmon it is ordered that H. B. Fleming, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. C. Hyde it is ordered that James S. Fenton, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William Cutajar
v. Appellant
1896.

This cause was submitted to the Consider-

the record with leave to counsel for the appellant to file a printed brief within two days and counsel for the appellee to file a reply thereto within one week thereafter.

196. A. N. Nelson et al., vs. Plff in Error, Richard Flint.

198. E. M. Parsons, vs. Plff in Error, The Chicago & Northwestern Railway Company.

It is ordered by the Court that these causes be, and they are hereby, passed temporarily.

199. Salt Lake City vs. Plff in Error, Elizabeth B. Tucker et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William McKay, of counsel for the plaintiff in error, and Mr. W. P. S. Curtis, of counsel for the defendants in error.

200. The Vulcan Iron Works, vs. Appellant, Ellen L. Smith, Executrix &c.

It is ordered by the Court that this cause be, and the same is hereby, passed.

201. Frederick N. Faulk, Receiver &c., vs. Plff in Error, The State Loan & Trust Co.

This cause was argued by Mr. Edward Winslow Paige, of counsel for the plaintiff in error, and Mr. [illegible], of counsel for the defendant in error.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. M. White it is ordered that William M. Pierson, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Edward Ryan Woodle, Esquire, of Chicago, State of Illinois, and Eugene Hagan, Esquire, of Topeka, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Wm. S. A. Northway it is ordered that L. M. Storey Esquire, of Kenton, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. W. Dolnig it is ordered that Bryan D. Stinson Esquire, of Guthrie, Territory of Oklahoma, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. O. L. Miller it is ordered that Justus H. Smith, Esquire, of New York City, and Thomas R. Morrow Esquire, of Kansas City, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Robinson it is ordered that Curtis Tilton, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Mason it is ordered that Sidney F. Andrews and John E. Burke, Esquires, of

as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Maddox it is ordered that Robert Stewart, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Spalding it is ordered that Francis A. Blair and Charles H. Smith, Esquires, of Jackson, State of Michigan, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

63 Mrs. Lillian N. Egan and husband, Plffs in Error, v. A. Hart, H. B. Richardson, and F. M. Kerr. In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction

621. Thomas H. Jones, Plff in Error
v.
Alfred G. Brim, Road Supervisor of District No. 2, Summit County, Utah

In Error to the Supreme Court of the State of Utah

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

522. L. F. Rosencrans, Plff in Error
v.
The United States.

In Error to the Circuit Court of the United States for the District of Montana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice Gray and
Mr. Justice White

180. Celestine Pim, Plff in Err, vs. The City of St. Louis and The St. Louis Cabletonal Dver Company, Deft in Err. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof it is now ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Harlan

574. C. L. Addington, Plff in Err, vs. The United States, Deft in Err. In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Harlan

162. Joseph Robinson, Appellant, vs. William A. Caldwell. Appeal from the Circuit Court of the United States for the District of Idaho.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Idaho, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Justice Harlan.

51. The Steamship "Valencia", her tackle &c., William G. Boulton et al., Claimants, Appellants, vs. William A. Ziegler et al. On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Harlan.

William Campbell and J. J. Smith vs. Appellants Thomas De L. Richardson et al.	On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support thereof as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

A. S. Churchill, Attorney General, et al., vs. Appellants, Oliver Ames et al.	On consideration of the motion to fix a day for the reargument of these cases,
A. S. Churchill, Attorney General, et al., vs. Appellants, George Smith, et al.	It is now
A. S. Churchill, Attorney General, et al., vs. Appellants, Henry L. Higginson et al.	here ordered by the Court that said cases be, and they are hereby, assigned for reargument on the first Monday of April next.

Per Mr. Chief Justice Fuller.

480. Lowry H. Humes, vs. Plff in Err. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

694. The Safety Insulated Wire and Cable Company vs. Plff in Err. The Mayor and City Council of Baltimore. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circ.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

16 Original. Ex parte In the matter of Phillip Hien, Petitioner. On consideration of the motion for leave to file a petition for a writ of Mandamus herein, It is now here ordered by the Court that

Ex parte: In the matter of Phillip Stein, Petitioner. — On consideration of the petition of Phillip Stein

16. Original

It is now here ordered by the Court that Cause be shown by the Honorable Justices of the Court of Appeals of the District of Columbia, before this Court, at Washington, on Monday, March 1st, 1897, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition.

Per Mr. Chief Justice Fuller.

The State of Missouri ex rel. The Laclede Gas Light Co. vs. Plff in Error, Michael J. Murphy, Street Commissioner &c. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

N. S. Swenson vs. Plff in Error, Russell Sage, Assignee. — It is ordered by the Court that this cause be, and the same is hereby restored to the docket for argument.

587.

Per Mr. Chief Justice Fuller.

512. The Hurlbut Land and Cattle Company, vs. John S. Truscott, Treasurer of Custer County, Montana &c. Appellant. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

337. Henry Sanford, President of The Adams Express Company, vs. Ebenezer W. Poe, Auditor of the State of Ohio, et al. Appellant. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby,

States for the Southern District of Ohio.

Per Mr. Chief Justice Fuller

Dissenting:
Mr. Justice White,
Mr. Justice Field,
Mr. Justice Harlan,
Mr. Justice Brown.

338. Henry Sanford, President of The Adams Express Company, Appellant, v. Ebenezer W. Poe, Auditor of the State of Ohio, et al. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of Ohio.

Per Mr. Chief Justice Fuller

Dissenting:
Mr. Justice White,
Mr. Justice Field,
Mr. Justice Harlan,

329.

James C. Fargo, President of The American Express Company, Appellant; vs. Ebenezer W. Poe, Auditor of the State of Ohio, et al. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Ohio.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White,
Mr. Justice Field,
Mr. Justice Harlan,
Mr. Justice Brown.

330.

Thomas C. Platt, President of The United States Express Company, Appellant; vs. Ebenezer W. Poe, Auditor of the State of Ohio, et al. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Ohio.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White.
Mr. Justice Field,
Mr. Justice Harlan,
Mr. Justice Brown.

398. Clarence A. Seward, Vice President of The Adams Express Co., Appellant, vs. Ebenezer H. Poe, Auditor of the State of Ohio.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby

399. James C. Fargo, President of The American Express Company, Appellant, vs. Ebenezer W. Poe, Auditor of the State of Ohio. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White,
Mr. Justice Field,
Mr. Justice Harlan,
Mr. Justice Brown.

400. Thomas C. Platt, President of The United States Express Company, Appellant, vs. Ebenezer W. Poe, Auditor of the State of Ohio. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White,
Mr. Justice Field,
Mr. Justice Harlan,
Mr. Justice Brown.

469. The American Express Company vs. Iliff in Error, The State of Indiana.

470. The Adams Express Company, vs. Iliff in Error, The State of Indiana.

471. The United States Express Company vs. Iliff in Error, The State of Indiana.

In Error to the Marion Circuit Court of Marion County, Indiana.

These causes came on to be heard on the transcript of the record from the Marion Circuit Court of Marion County, State of Indiana, and were argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in these causes be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear on the

The Western Union Telegraph Company, Plaintiff in Error, vs. The State of Indiana. } In Error to the Supreme Court of the State of Indiana.

611

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Harlan and
Mr. Justice White.

The United States, Petitioner, vs. The Steamer "Three Friends" &c. } The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Harmon in support of the same, and Mr. W. Hallett Phillips, in opposition thereto.

701

701. The United States, Petitioner, vs. The Steamer Three Friends &c. On petition praying writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Mr. Chief Justice Field.

701. The United States, Petitioner, vs. The Steamer Three Friends &c. On motion of Mr. Attorney General Harmon, It is ordered by the Court that this cause be, and the same is, hereby, advanced and assigned for argument on Monday, the 15th instant.

551. Herman Keck, Plff in Error, vs. The United States. Mr. Solicitor General Conrad submitted to the consideration of the Court a motion to fix a day for the reargument of this cause.

430. William Fixen, Jr., Trustee, et al, Appellants, vs. The United States et al. Mr. Solicitor General Conrad submitted to the Co

Monday, February 15 1897 Continued

Court a motion to advance this cause.

115. The United States, Appellant, vs. Desiderio Forey et al. Appeal from the Court of Private Land Claims.

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad, of counsel for the appellant, and he having moved the Court to dismiss this appeal. Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that the appeal be, and the same is hereby, dismissed.

(per Mr. Chief Justice Fuller.)

116. The United States, Appellant, vs. Frank Perea et al. Appeal from the Court of Private Land Claims.

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

(per Mr. Chief Justice Fuller.)

The United States, Appellant,
182. vs. Appeal from the Court
Arieta Martinez et al. of Private Land Claims

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad, of counsel for the appellant, and he having moved the Court to dismiss this appeal, therefore in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

The United States, Appellant,
183. vs. Appeal from the
Donaciano Tunale et al., Court of Private
and Thomas Gutierrez et al. Land Claims.

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad, of counsel for the appellant, and he having moved the Court to dismiss this appeal, therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

185. The United States, Appellant
vs. Appeal from the Court
Jesus Armijo y Aranville et al. of Private Land Claims.

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad, of counsel for appellant, and he having moved the Court to dismiss this appeal. Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

700. The United States, Appellant
vs. On motion of Mr. Assistant Attorney General Dodge, of Counsel for the appellant. It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with Case No. 320, as one case.
Edgar M. Wilson, Admr.

481. Ambrose P. S. Stuart, Appellant
vs. Mr. J. M. Thurston, in behalf of Counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.
Kent K. Stryden, Receiver, etal

475. Thomas C. Chappell, Plff in Error, vs. Mary Bell Chappell. Mr. Thomas C. Chappell, in propria persona, submitted to the consideration of the Court a suggestion of a diminution of the record and motion for a writ of certiorari in the cause.

478. Thomas C. Chappell, Plff in Error, vs. Mary Bell Chappell. The motions to dismiss or affirm in the cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel Maddox and Mr. David Stewart, in support of the same, and Mr. Thomas C. Chappell, in propria persona, in opposition thereto.

478. Thomas C. Chappell, Plff in Error, vs. Mary Bell Chappell. Mr. Thomas C. Chappell, in propria persona, submitted to the consideration of the Court a motion to strike from the files the motions to dismiss or affirm herein.

680. Standard Elevator Co, et al., Appellants, vs. National Company et al. The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the consideration of the Court on printed argu-

same, and Mr. James H. Raymond, in opposition thereto.

Ex parte: In the matter of Charles Johnson, Petitioner. 13 Original.

On motion of Mr. J. J. Wood, of counsel for the petitioner, leave is hereby granted to file proof of service of the rule to show cause issued herein, and time to file return to the rule, extended to March 1st next.

A. M. Thomas et al., Appellants, vs. D. P. Gay and A. S. Reed, as Gay & Reed, et al. 688.

Mr. J. F. King, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

Dennis Ryan, Petitioner, vs. James Staples 703.

The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Frederic D. McKenney, of counsel for the petitioner, with leave to file printed arguments hereafter.

Ex parte: In the matter of Gustave Alix, Master &c., Petitioner. 15 Original.

On motion of Mr. J. W. Robinson, of counsel for the respondent, it is ordered by the

show cause therein be, and the same is hereby extended to March 1st next.

696 The Illinois Central Railroad Co., Petitioner, vs. Hilbun F. Davidson. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Wilbur E. Mason, Mr. James Ventress and Mr. Sidney F. Andrews, in support of the same, and Mr. Edward Rippon Wood in opposition thereto.

1050. John S. Stallcup vs. Pittsburg &c. The City of Sacramento. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. B. Grosscup, in support of the same, and Mr. C. Wolcott and Mr. J. F. Shafroth, in opposition thereto.

Proclamation being made the Court is adjourned until Monday, the 28th instant, at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Associate Justices

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William F. Vilas it is ordered that Edward S. Vilas, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. E. B. Whitney it is ordered that Charles Robinson Smith, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf

William Baker, Esquire, of Washington District of Columbia be admitted by Special to be an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that Stephen J. Cox Jr. Esquire of Natchez be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. Sayers it is ordered that H. M. Garwood, Esquire of Bastrop, State of Texas be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

31. Rufus C. Graves, Plff in Error vs. The United States — In Error to the District Court of the United States for the Northern District of [illegible]

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of [illegible] and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby

same is hereby, remanded to the said District Court with directions to grant a new trial.

Per Mr. Justice Peckham.

Dissenting:
Mr. Justice Harlan.

187. The United States, Appellant, vs. Joshua Gorham. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Peckham.

617. The District of Columbia, Appellant, vs. George E. Johnson, Administrator &c., of Peter Wiemann, dec'd. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed

remanded to the said Court of Claims for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham

618. The District of Columbia
vs. Appellant
Margaret A. Sheckels, Helen C. Sheckels, and Mary M. D. Sheckels, Executrix of Theodore Sheckels, dec'd

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham

619. The District of Columbia, Appellant,
vs.
Joseph T. N. Hall

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof

that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed, and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

The District of Columbia,
620. vs. Appellant, Appeal from the
William Dickson, Assignee Court of Claims.
of Frank A. Tenney.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

Warren E. Price,
625. vs. Plff in Error, In Error to the District Court
The United States. of the United States for the Northern District of California.

This cause came on to be heard on the transcript of

States for the Northern District of California, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

(Per Mr. Justice Brewer.)

182. Thomas F. Oakes, Henry C. Payne and Henry C. Rouse, Receivers of the Northern Pacific Railroad Company, Plffs in Error, vs. Clara Mace, Administratrix of the Estate of Frank D. Mace. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed and annulled, and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota with direction to enter judgment for the original plaintiff.

(Per Mr. Justice White.)

Dissenting:
Mr. Justice Harlan.

156. The Lake Shore & Michigan Southern Railway Company, Plff in Error, vs. The State of Ohio ex rel. Russell S. Humphrey. } In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

(Mr. Justice Brewer concurs in the result.)

157. The Atlantic & Pacific Railroad Company, Plff in Error, vs. Robert Mingues. } In Error to the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

(Mr. Justice Gray was not present at the argument

78. Augusta P. Glover and John M. Glover, Appellants, vs. Mary E. Patten, Josephine A. Patten, Edith Patten and Helen Patten. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown.

479. Joseph R. Dunlop, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brown.

Monday, February 15th, No. [illegible]

The Germania Iron Company, Emil Hartmann and Richmond D. Mallett, Appellants, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

Per Mr. Justice Brown

(Mr. Justice Gray was not present at the argument and took no part in the decision of this case.)

151. James M. Dewese, Jr., Appellant, vs. Jacob Rinkard, Louisa Fiesen, Louis F. Fiesen, Bertha M. Means, and George C. Means. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court

by counsel. On consideration whereof, It is ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Justice Brewer.

173. The Burlington Gas Light Company, Plff in Error, v. The Burlington, Cedar Rapids & Northern Railway Company. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice Peckham.

319. The United States, Appellant, vs. The Union Pacific Railway Company, Henry Gay, W. Wellsteger and William Hood. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Kansas.

Mr. Justice Brown.

321. The United States, Appellant, vs. The Winona & St. Peter Railroad Company et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United

the same is hereby affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

Per Mr. Justice Bradley.

322. The United States, Appellant, vs. The St. Paul & Sioux City Railroad Company et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

Per Mr. Justice Bradley.

602. The Winona & St. Peter Railroad Company et al., Appellants, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of

by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

Per Mr. Justice Brewer.

577. Dennis Davis, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brewer.

18. Martha Hopkins, Martha M. Le Stephney Forrest, et al., Appellants, vs. William H. Grimshaw and Mary J. Brooks. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of

Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Gray.

The United States, Appellant, vs. Henry P. McMillan; John J. Daly and Warden P. Noble. Appeal from the Supreme Court of the Territory of Utah.

164.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Utah for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Gray.

The Vulcan Iron Works, On writ of Certiorari to
900. vs. Appellant. the United States Circuit
Ellen L. Smith, Executrix of Court of Appeals for
Samuel A. Smith, deceased, &c. the Ninth Circuit.

In pursuance of the stipulation of counsel for the respective parties herein, It is now here ordered by the Court that the writ of certiorari herein be, and the same is hereby, dismissed.

Per Mr. Justice Gray.

Edwin Norton and Oliver On a petition for a writ of
M. Norton, Certiorari to the United
634. vs. Appellants, States Circuit Court of
Milton A. Wheaton. Appeals for the Ninth Cir.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Gray.

Pullman's Palace Car Co., On consideration of
vs. Appellant, the motion to advance
Central Transportation Co. the cause, It is now
here ordered by the
Court that said motion be, and the same is hereby,

William Saxon, Jr., Justice, &c., Appellants,
430. vs.
The United States et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

John C. Stallcup,
450. vs. In Error to the Supreme
The City of Tacoma. Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Thomas C. Chappell
478. vs. In Error to the Court of
Mary Ball Chappell. Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on motions to dismiss or affirm, which were argued by counsel. On

and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

1481. Ambrose P. S. Stuart, Appellant, vs. Kent K. Hayden, Receiver, et al. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

551. Norman Wait Harris, Plff in Error, vs. The United States. On consideration of the motion to fix a day for the re-argument of this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for re-argument on the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

682. Standard Elevator Company et al., Appellants, vs. National Grain Elevator Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari

Monday, February 5th 1877, continued

for the Seventh Circuit and of the argument of counsel thereupon had, to be well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Waite

688. A. M. Thomas et al., Appellants, vs. D. S. Gay and A. S. Reed, as Gay & Reed, et al

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is, hereby, granted, and the case assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Waite

Ex parte: In the matter of John Gelwood, Jr., Petitioner. Original.

On consideration of the petition for a writ of certiorari herein, and of the argument of counsel thereupon had as well in support thereof as against the same, It is now here ordered by the Court that the rule to show cause heretofore issued herein be, and the same is hereby, made absolute, and the writ of certiorari is awarded as prayed.

per Mr. Chief Justice Waite

664. The Missouri, Kansas & Texas Railway Co., vs. Charles Haber et al. — Mr. Holmes Conrad, in behalf of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause.

715. Charles Clarke et al., Petitioners, vs. The Steamship Elfrida. — The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Daniel William Baker, in support of the same, and Mr. J. Parker Kerlin, in opposition thereto.

697. James E. Simpson et al., Appellants, vs. The United States. — Mr. Joseph K. McCammon, of counsel for the appellants, submitted to the consideration of the Court a suggestion of diminution of the record and motion for a writ of certiorari in this cause, and leave was granted counsel for the appellee to file a printed brief in opposition thereto on or before Friday next.

716. Joseph Raymond, Appellant, vs. — Mr. William A. Maury, of counsel for the appellee

the following Certificate
Circuit Court of the United States
For the Eastern District of
I, Edward R. Hunt, Clerk of the Circuit Court of the United States for the Eastern District of Louisiana, do hereby certify that in a certain cause pending in said Court wherein Joseph Raymond was complainant and John Lange was defendant, a final decree was rendered by said Circuit Court on the 26th day of February, A.D. 1895, in favor of the said John Lange and against the said Joseph Raymond and that on the 13th day of February, A.D. 1897 said Joseph Raymond prayed an appeal to the Supreme Court of the United States which was allowed.

In testimony whereof I have hereunto subscribe my name and affix the seal of said Circuit Court, at New Orleans this 16th day of February, A.D. 1897.

(Seal)

E. R. Hunt, Clerk

Mr. Hunt moved the Court to docket and dismiss this cause pursuant to the 9th rule; and it appearing to the Court that the appellant has failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the

Louisiana be, and the same is hereby dismissed, and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Taney.

The Northern Pacific Railroad Company, Plaintiff in Error, vs. Arabie Beaton. } In Error to the United States Circuit Court of Appeals for the Third Circuit.

This cause having been called to the attention of the Court by Mr. A. B. Browne, in behalf of Counsel for the plaintiff in error, and a motion by Counsel for the plaintiff in error to dismiss the writ of error in this cause having been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Taney.

The United States, Petitioner, vs. The Steamer Three Friends &c. } On motion of Mr. Baldeon Curtis, and by consent of Counsel on both sides, leave is hereby granted him to file a printed Brief herein as amicus curiæ.

701. The United States, Petitioners, vs. The Steamer Three Friends, Respondent. The argument of this cause was commenced by Mr. Assistant Attorney General Whitney, of counsel for the petitioners, continued by Mr. W. Hallett Phillips and Mr. A. W. Cockrill, of counsel for the respondent, and concluded by Mr. Attorney General Harmon, of counsel for the petitioners.

Proclamation being made the Court is adjourned until Monday, March 1st, next, at twelve o'clock, M.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Harmon it is ordered that Joseph B. Doe, Esquire, of Milwaukee, State of Wisconsin; Henry A. Axline, Esquire, of Columbus, State of Ohio; E. M. Harmon, Esquire, of Washington, District of Columbia; George F. Moore, Esquire, of Montgomery, State of Alabama, and F. A. Woodard, Esquire, of Wilson, State of North Carolina, be admitted to practice as attorneys and counsellors of this Court and they severally were accordingly sworn.

On motion first made to the Court in this behalf by Mr. F. C. B. Sands it is ordered that John M. Roy-

be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Johnt. Thaprock it is ordered that Cass E. Herrington, Esquire, of Denver, State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Stephenson Hart it is ordered that John De Witt Vader, Esquire, of the Upper Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. D. Sayre it is ordered that Miles Crowley Esquire, of Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Joshua Eric Dodge it is ordered that George Whitesell, Esquire of Baltimore, State of Maryland, and Jos. Alexander and Arthur E. Bennett Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. William F. Vilas it is ordered that W. E. Harvey, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Carter it is ordered that Frederic R. Coudert, Junior, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. F. Lacey it is ordered that Lewis Miles, Esquire, of Corydon, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Carter it is ordered that George S. Batcheller, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

E. Mellyer & Co. a commercial partnership composed of Charles E. Mellyer, Ernest Delafield Rau Black, Charles A. Marande and Olivier Seiz. } In Error to the Supreme Court of the State of Louisiana.

1116. vs. Plffs in Error.

The State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

The Fourth Street National Bank of the City of Philadelphia, } On a certificate from the United States Circuit Court of Appeals for the Third Circuit.

1117. vs. Appellant

Robert M. Yardley, Receiver of The Keystone National Bank.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Third Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be

answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice White.

Dissenting:
Mr. Justice Gray,
Mr. Justice Brewer
Mr. Justice Peckham.

James N. Walker, Columbus R. Cummings & William B. Steward, Appellants, vs. Anna L. Brown, Administratrix, & Willis S. Brown & Edward L. Mead, Administrators, of the estate of Talmadge E. Brown, deceased.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of Iowa for further proceedings not inconsistent with the opinion of this Court.

Monday, March 21, 1892. Continued

The United States, Appellant,
208. vs. Appeal from the Court of
The City of Santa Fe. Private Land Claims.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby affirmed and that this cause be, and the same is hereby remanded to the said Court of Private Land Claims with directions to dismiss the petition.

Per Mr. Justice Gray.

(Mr. Justice Brewer concurred in the result.)

James H. McVaugh and Emily McVaugh his wife, Mary A. Porter and James B. Porter, her husband, George E. Hinckley et al., Appellants,
114. vs. Appeal from the Court of Appeals of the District of Columbia.
Sarah H. Hutchinson and John B. Hutchinson, her husband, Benjamin D. Mitchell and Richard Mitchell.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered,

decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Strong.

David G. Swaim, Appellant; vs. The United States. } Appeal from the Court of Claims.

33.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr Justice Strong.

Margaret E. Walker, Plff in Error; vs. The New Mexico & Southern Pacific Railroad Company. } In Error to the Supreme Court of the Territory of New Mexico.

171.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Bradley

Samuel Whitehill Barber, Richard Treat Leech and Mary Ann Leech, his wife, etal.,

431. vs. Appls in Error,

The Pittsburgh, Fort Wayne & Chicago Railway Company and The Pennsylvania Company

On certificate from the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the negative, and that the answer to the second question certified must be that Amanda Hopkins took a fee tail under the devise to her. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Gray.

Leander J. McCormick, Appt. in Error,

554. vs.

The Merchants National Bank of Chicago.

In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. Upon

and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

128. The New York, New Haven & Hartford Railroad Company, Pltff in Error, vs. The People of the State of New York. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

(Mr. Justice Gray did not sit or take part in the consideration and decision of this case.)

201. Frederick N. Pauly, Receiver of The California National Bank of San Diego, Pltff in Error, vs. The State Loan & Trust Company. In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of

by Counsel. On consideration whereof, It is now Hereordered and adjudged by this Court that the judgment of the said United States Circuit Court in this cause be, and the same is hereby affirmed with Costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of California.

Per Mr Justice Strong

The Chicago, Burlington & Quincy Railroad Company, Plff in Error, vs. The City of Chicago. } In Error to the Supreme Court of the State of Illinois

179.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was argued by Counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Brewer.

(The Chief Justice did not sit in this case or participate in its decision.)

130. The Chicago, Burlington & Quincy Railroad Company, Plff in Error, vs. The City of Chicago. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Dissenting: Mr. Justice Brewer.

(Mr. Justice Harlan delivered the opinion of the Court.)

(The Chief Justice did not sit in this case or participate in its decision.)

664. The Missouri, Kansas & Texas Railway Company, vs. Charles Haber et al. Plff in Error. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the case assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day, or, it will be taken on printed briefs on or before the first Monday of April next.

(Mr. Chief Justice Fuller delivered the opinion of the Court.)

715. Charles Clarke and Robert P. Clarke, Petitioners, vs. The Steamship "Elfrida," Pigman, Bell & Co., Claimants. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

697. James E. Simpson et al., Appellants, vs. The United States. On consideration of the suggestion of diminution of the record and motion for a writ of certiorari in this case, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Order

The Reporter having represented that owing to the number of decisions at the present term, it will be impracticable to put the reports in one

he publish an additional [illegible] in this case, pursuant to section 681 of the Revised Statutes.

Per Mr. Chief Justice [illegible]

172. Charles Wade, Plff in Error, vs. R. M. Lawder and Rosa Ringo, Administrators of Dick Ringo, deceased. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite

Ex parte: In the matter of Israel B. Kollock, Petitioner. On consideration of the petition for writs of habeas corpus and certiorari herein, and of the argument of Counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Original.

Per Mr. Chief Justice Waite

Ex parte: In the matter of Samuel J. McCauley, Petitioner. On consideration of the petition for writs of habeas corpus and certiorari herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of William O. Linsby, Petitioner. On consideration of the petition for writs of habeas corpus and certiorari herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

701. The United States, Petitioner, v. The Steamer "Three Friends," her engines &c., Napoleon B. Broward and Montault Broward, Claimants. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is,

Court that the decree of the District Court of the United States for the Southern District of Florida in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said District Court with directions to resume the custody of the record and proceed with the cause in conformity with the opinion of this Court.

(Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Harlan.

E. J. Augustin, Plff in Error, vs. The United States. 572. In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause having been called to the attention of the Court by Mr. Charles F. Buck, in behalf of counsel, and a motion by counsel for the plaintiff in error to dismiss this writ of error having been filed, Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

(Per Mr. Chief Justice Fuller.

E. J. Augustin, Plff in Error, vs. The United States. 572. On motion of Mr. Charles F. Buck in behalf of counsel for the plaintiff in error, cause

to issue the mandate in this cause.)

371. Alexander Allen, Plff in Error, vs. The United States. — Mr. Attorney General Harmon having suggested to the Court that the sentence of death, in this cause (which has heretofore been affirmed by this Court) has been commuted by the President of the United States, It is now here ordered by the Court that such further proceedings be had in the Circuit Court as ought to be had in view of such commutation.

172. William Cutajar, Appellant, vs. The United States et al. — Appeal from the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that an authority of Counsel for the appellant to dismiss this appeal has been filed. Therefore, in pursuance of said authority, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Taney.

54. The Petaluma Canal Co, Appellant, vs. The Board of Agriculture of North Carolina et al. — On motion of Mr. F. A. Woodard, leave is hereby granted Counsel for the appellant to file a sup-

18. Martha Hopkins et al., Appellants, vs. William N. Grimshaw. On motion of Mr. F. N. Mackey, of counsel for the appellants, leave is hereby granted the Clerk to issue the mandate in this cause.

373. Alexander S. Hooe, Jr., et al., Plaintiffs in Error, vs. Jacob Stenger et al.

374. Alexander S. Hooe, Jr., et al., Plaintiffs in Error, vs. Hugh Jamieson et al.

These cases were submitted to the consideration of the Court on the record in No. 374 and printed arguments by Mr. A. K. Buchnell, of counsel for the plaintiffs in error, and Mr. S. S. Barney, of counsel for the defendants in error.

648. St. Louis Car Coupler Co., Petitioner, vs. Shickle, Harrison & Howard Iron Company.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Frederic D. McKenney and Mr. Chester H. Krum, in support of the same, and Mr. George H. Knight and Mr. Melville Church, in opposition thereto.

666. Willis Thorp
vs. Plff in Error,
S. A. Bonnifield et al

Mr. John M. Thurston, on behalf of Counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Levi C. Stein, President &c.,
vs. Appellant,
L. C. Norman, Auditor of Public Accounts of Kentucky

On motion of Mr. Laurence Maxwell Jr. of Counsel for the appellant, leave is hereby granted him to file a supplemental brief herein, and leave was granted Counsel for the appellee to file a reply thereto within five days.

The District of Columbia,
vs. Appellant,
Joseph D. Noyes

On motion of Mr. Edwin Forrest of Counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

516. Ra-Koo-Yel-Lee,
vs. Plff in Error,
The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by the plaintiff in error in propria persona, and Mr. Solicitor General Con-

191. B. F. Dowell & A. J. Dowell vs. Plffs in Error, Daniel M. Applegate, Peter Applegate, Sallie Applegate and John Long } In Error to the Supreme Court of the State of Oregon.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 16th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

192. Howard B. Bullard, vs. Plff in Error, The Des Moines & Fort Dodge Railroad Company } In Error to the Supreme Court of the State of Iowa.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this writ of error has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

The Twin City National Bank of New Brighton, Plff in Error,
vs.
Enos A. Nebeker.
No. 202.

On motion of Mr. Solicitor General ordered
It is ordered by the Court that these cases be, and they are, hereby, passed subject to the provisions of Section 4 of Rule 6.

The Lumbermen's National Bank of Williamsport, Plff in Error,
vs.
James R. Mason.
No. 203.

Ex parte: In the matter of Phillip Allen, Petitioner.
No. Original.

On motion of Mr. Solicitor General, Ordered, That it is hereby granted to William A. Maynard to appear for the purpose of arguing this case orally on behalf of the respondents.

Ex parte: In the matter of C. & A. Potter & Co. Petitioners.
No. Original.

The argument of this case was commenced by Mr. E. H. Bradford, of Counsel for the petitioners, continued by Mr. Edward Boyd, of Counsel for the Respondents, and concluded by Mr. Hester Bradford, of Counsel for the petitioners.

Ex parte: In the matter of Gustave Max Mauff &c.
No. Original. Petitioner.

This case was argued on the return to the rule to show cause

said return, and the motion for leave to take testimony by Mr. Horace L. Cheyney, of counsel for the petitioner, and Mr. Curtis Fenton, of counsel for the respondent.

403. Boyden Power Brake Co., et al., v. Appellants, George Westinghouse, Jr., et al.

426. George Westinghouse, Jr., et al., v. Appellants, Boyden Power Brake Co., et al.

The re-argument of these cases was commenced by Mr. George H. Christy, of counsel for Westinghouse et al., and continued by Mr. Hector T. Fenton, of counsel for Boyden Power Brake Co., et al.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer, Associate Justices
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. A. Raymond it is ordered that Richard Yeates, Esquire, of Jacksonville, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. D. Benedict it is ordered that Osgood Smith, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

617. The District of Columbia, Appt, vs. George E. Johnson, Admr &c.
618. The District of Columbia, Appt, vs. Margaret R. Sheckels et al
620. The District of Columbia, Appt, vs. William Gordon, Surgeon

On motion of Mr. V. B. Edwards, of Counsel, leave is hereby granted the Clerk to issue the mandates in these cases.

403. Boyden Power Brake Co, et al, vs. George Westinghouse, Jr, et al. Appellants, The re-argument of these cases was continued by Mr. Hector T. Fenton and Mr. Lysander Hill, of counsel for the Boyden Power Brake Co, et al, and concluded by Mr. Frederic H. Betts, of Counsel for Westinghouse et al.

476. George Westinghouse, Jr, et al., vs. Boyden Power Brake Co, et al. Appellants,

28. The Cunard Steamship Co., vs. Cyprien Fabre, Manager &c Appellant, The re-argument of this cause was commenced by Mr. R. D. Benedict, of counsel for the appellee, and continued by Mr. Frederic R. Coudert, of counsel for the appellant.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Arthur Brown it is ordered that Frederick McGurrin, Esquire, of Salt Lake City, State of Utah be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered that William D. Totten, Esquire, of Kalkaska, and Chalmers Curtis, Esquire, of Petoskey, State of Michigan, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Raymond it is ordered that Otto Raymond Barnett, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Spooner it is ordered that Henry R. Pebbles, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic R. Coudert it is ordered that Gilbert Ray Hawes, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

25. The Cunard Steamship Co., Appellant, vs. Cyprien Fabre, Manager &c. The re-argument of this cause was continued by Mr. Frederic R. Coudert, of counsel for the appellant, and concluded by Mr. R. D. Benedict, of counsel for the appellee.

196. A. N. Nelson et al., Plaintiffs in Error, vs. This cause was argued by Mr. A. H. Haywood, of

in error, and submitted by Mr. Henry B. Smith, of counsel for the defendants in error.

54. R. L. Hacker et al., Plffs in Error, vs. E. Wilson et al. This cause was argued by Mr. H. E. Brown of Counsel for the plaintiffs in error, and submitted by Mr. A. P. Fetmore, of Counsel for the defendants in error.

55. John N. Whitney, Appellant, vs. Moylan C. Fox surviving Executor &c. 56. William H. Hood, Appellant, vs. Moylan C. Fox, surviving Executor &c. Reargument of these cases was commenced by Mr. Arthur Brown of Counsel for the appellants, and concluded by Mr. J. M. Wilson, of Counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at eleven o'clock.

Thursday March 4th 1897

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices
Edward D. White,
Rufus W. Peckham,

John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Court attended the inauguration of the Honorable William McKinley, President of the United States.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf, by Mr. George F. Hoar it is ordered that Henry S. Dewey, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Holcott it is ordered that Harry E. Churchill, Esquire, of Greeley, State of Colorado, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Thursday, March 4th 1897

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices
Edward D. White,
Rufus W. Peckham.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Court attended the inauguration of the Honorable William McKinley, President of the United States.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. George F. Hoar it is ordered that Henry S. Dewey, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Wolcott it is ordered that Harry E. Churchill, Esquire, of Greeley, State of Colorado, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

210. J. Harrison Johnson, Appellant, vs. The Baltimore & Potomac Railroad Company. Ordered by the Court that this cause be, and the same is hereby dismissed for want of prosecution.

Ex parte: In the matter of Edward Eckart, Petitioner. On motion of Mr. H. K. Mylrea, of counsel for the respondent, it is ordered by the Court that the hearing on the return to the rule to show cause herein be, and the same is hereby, fixed for Monday, the 22d instant.

68. John N. Whitney, Appellant, vs. Moylan C. Fox, surviving Executor of William H. Wood, Appellee.

56. Moylan C. Fox, surviving Executor of William H. Wood, Appellant, vs. John N. Whitney, Appellee.

The argument of these cases was continued by Mr. J. M. Wilson, of counsel for the appellee, and concluded by Mr. Arthur Brown, of counsel for the appellant.

114. The United States, Appellant, vs. Hong Kim Ark, Appellee. The argument of this case was commenced by Mr. Solicitor General Conrad, of counsel for the appellant, and continued by Mr. Maxwell Evarts and Mr. J. Hubley Ashton, of counsel for the appellee.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer Associate
Henry B. Brown Justices
George Shiras Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf, by Mr. S. F. B. Sands it is ordered that A. Mc Malcomson, Esquire, of New York City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Joseph V. Graff it is ordered that William R. Curran, Esquire, of Peoria, State of Illinois, be, admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Eugene Moore it is ordered that William C.

admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ed Baxter it is ordered that Herbert Green, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Whitney it is ordered that Herbert W. Bissell, Esquire, of Buffalo, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

98. The Steam Yacht "Conqueror," her tackle, apparel and furniture, J. Sloat Fassett, Claimant, vs. Appellant, Frederick H. Vanderbilt, Appellee. } On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs, and

to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Brewer.

696. The Illinois Central Railroad Company, vs. Wilbur F. Adamson. Petitioner. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Seventh Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

703. Dennis Ryan, vs. James Staples. Petitioner, On petitions for a writ of error and a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petitions for a writ of error and a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is ordered by the Court that said petitions be, and the same are hereby, denied.

St. Louis Car Coupler Company
678. v. Petitioner
Shields, Harrison & Howard Iron Company

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Mr. Chief Justice Fuller

Willis Thorp,
666. v. Plff. in Err.
S. A. Bonnifield,

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause advanced as under the 3rd rule, to be submitted on printed briefs.

E. M. Patton,
149. v. Plff. in Error.
The Texas & Pacific Railway Company.

In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued

by counsel. On consideration whereof, It is ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per the Chief Justice.

The Honorable Judson Harmon addressed the Court as follows:

I have the honor to present my successor in the office of Attorney General of the United States, Hon. Joseph McKenna. I have here his commission in due form of law which I pray may be publicly recorded.

The Chief Justice responded.

The Court extends a cordial welcome to the incoming Attorney General, at the same time expressing to his predecessor the high regard and best wishes of its members. Let the commission be recorded.

William McKinley,

President of the United States of America,

To all who shall see these presents, Greeting:

Know ye, That reposing special trust and confidence in the patriotism, fidelity and abilities of Joseph McKenna of California, I have nominated, and, by and with the advice and consent of the Senate, do appoint him to be Attorney General, and do authorize and empower him to execute and fulfil the duties of

that Office according to law and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto him the said Joseph H. Choate subject to the conditions prescribed by law.

In testimony whereof, I have caused these Letters to be made Patent and the seal of the United States to be hereunto affixed.

Given under my hand, at the City of Washington, the fifth day of March in the year of our Lord one thousand eight hundred and ninety-seven and of the Independence of the United States of America the one hundred and twenty first.

(Seal) William McKinley

By the President:
John Sherman,
Secretary of State.

724. The United States, Petitioners, vs. The Buffalo National Gas Fuel Company. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Conrad and Mr. Assistant Attorney

Monday March 5th 1894 Continued

Wm. Herbert H. Russell in opposition thereto.

E. J. Peck and Leo Simmons, Trustees, Plffs in Error, vs. Daniel Bechtel, 503. Deft in Error.

The motion to advance this cause for hearing with Case No. 289 was submitted to the consideration of the Court by Mr. F. H. Mackey and Mr. A. A. Birney, in support of the same, and Mr. Leon Tobriner and Mr. A. M. Gould in opposition thereto.

The Missouri, Kansas & Texas Trust Company, Petitioner, vs. Theodore M. Kennedy et al. 728.

The petition for a writ of error to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments by Mr. William C. White, in support of the same, and Mr. Page Morris, in opposition thereto.

The Brooklyn & New York Ferry Company, Plff in Error, vs. Katie J. McMullen, 681. Deft in Error.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. C. J. Patterson, in support of the same, and Mr. James Troy and Mr. George Bethune, [illegible]

Hugh Murphy, Appellant,
720. vs.
The Colorado Mining & Ld. Co. et al.

On motion of Mr. Francis D. McKenney of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to the 32d Rule.

Jeremiah R. Harman, Petitioner,
466. vs.
Anthony Harman et al. Respondents.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause having been called to the attention of the Court by Mr. Clarence A. Burley, of counsel for the appellees, on whose application the writ of certiorari herein was granted, and he having moved the Court to dismiss said writ of certiorari, Therefore, in pursuance of said motion, It is now hereby ordered, adjudged, and decreed by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Jacob M. Harman, Petitioner,
467. vs.
Jeremiah R. Harman et al. Respondents.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause having been called to the attention of the Court by Mr. Clarence A. Burley, of counsel for the

herein was granted, and he having moved the Court to dismiss said writ of Certiorari. Therefore, in pursuance of said motion, It is now hereby ordered, adjudged, and decreed by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

466. Jeremiah R. Harman, Appt. vs. Milton Harman et al
467. Jacob M. Harman, Appt. vs. Jeremiah R. Harman et al

On motion of Mr. Clarence A. Burley, of Counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in these cases.

212. The Chicago, Milwaukee & St. Paul Railway Co. vs. Plff in Error, Sam'l T. Campbell et al, Railroad Commrs of &c.

On motion of Mr. A. B. Browne, in behalf of Counsel for the Plaintiff in error, It is ordered by the Court that this cause be, and the same is, hereby, continued until the next term.

626. Hoke Smith, Secretary of the Interior, et al, vs. Appellants, Jefferson Reynolds et al

On motion of Mr. Alphonso Hart, of Counsel for the appellees, leave is hereby granted them to file a supplemental brief herein within ten days.

Adam S. B. Barker,
346. vs. Plff in Error,
John Brickell.

Fairfax N. Wheelan, Admr &c,
346. vs. Plff in Error,
John Brickell.

The motions to dismiss in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. S. H. Holladay and Mr. G. B. Holladay, in support of the same, and Mr. Charles N. Fox, in opposition thereto.

The United States,
1469. vs. Appellant,
Hong Kim Ark.

The argument of this cause was continued by Mr. J. Hubley Ashton, of Counsel for the appellee, and concluded by Mr. Solicitor General Conrad, of Counsel for the appellant.

E. M. Parsons,
148. vs. Plff in Error,
The Chicago & Northwestern Railway Co.

The argument of this cause was commenced by Mr. C. C. Nourse, of Counsel for the plaintiff in error, and continued by Mr. Lloyd W. Bowers, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph H. Bailey it is ordered that John M. Parker, Esquire, of Taylor, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John S. Blair it is ordered that William Bleckie, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Matt G. Reynolds it is ordered that G. L. Lalignac,

be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

E. M. Parsons,
198. vs. Pltf in Error,
The Chicago & Northwestern Railway Company.

On motion of Mr. Assistant Attorney General Whitney, leave is hereby granted to file a brief herein on behalf of Defendant in error within one week and counsel for plaintiff in error to file reply thereto within three days thereafter.

E. M. Parsons,
198. vs. Pltf in Error,
The Chicago & Northwestern Railway Company.

The argument of this cause was continued by Mr. Lloyd W. Bowers, of counsel for the defendant in error, and concluded by Mr. C. C. Nourse, of counsel for the plaintiff in error.

The United States,
205. vs. Appellant,
Julian Sandoval et al.

Levi P. Morton,
599. vs. Appellant,
The United States.

The Rio Arriba Land & Cattle Co.,
195. vs. Appellant,
The United States.

It is ordered by the Court that three counsel be allowed to argue these cases on behalf of the appellees in No. 205, appellant in No. 599, and appellant in No. 195, and that they be allowed one hour additional time for the argument.

Thursday, March 9th, 1893. Continued.

No. 545. The United States, Appellant
vs.
Levi P. Morton, et al

No. 546. Levi P. Morton, Appellant
vs.
The United States.

No. 550. The Rio Arriba Land & Cattle Co., Appellant,
vs.
The United States.

The argument of these cases was commenced by Mr. Matt G. Reynolds, of counsel for the United States, and continued by Mr. F. H. Clancy, of counsel for the Rio Arriba Land & Cattle Company.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

205. The United States, Appellant, vs. Julian Sandoval et al

597. Levi P. Morton, Appellant, vs. The United States

598. The Rio Arriba Land & Cattle Company, Appellant, vs. The United States.

The argument of these cases was continued by Mr. S. H. Kinney, of counsel for the Rio Arriba Land & Cattle Company, Mr. Matt G. Reynolds, of counsel for the United States and Mr. T. B. Catron of counsel for Morton, and concluded by Mr. John D. Lee, of counsel for Sandoval et al.

Wednesday March 9th, 1870 Continued

676. Hyde Smith, Secretary of the Interior, et al., Appellants, vs. Jefferson Reynolds et al. This cause was argued by Mr. Assistant Attorney General Whitney of Counsel for the appellants, and Mr. Stephens & Hart, of Counsel for the appellees

706. The California National Bank, Plff in Error, vs. Nat Kennedy This cause was argued by Mr. Edward Stanton Pierce of Counsel for the plaintiff in error, and submitted by Mr. George Fuller, of Counsel for the defendant in error.

189. The United States, Appt, vs. James G. Reed
190. The United States, Appt, vs. James G. Reed

The arguments of these cases were commenced by Mr. Assistant Attorney General Dodge, of Counsel for the appellants, and continued by Mr. G. E. P. Howard, of Counsel for the appellees

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. S. M. Stockslager it is ordered that Thomas J. Anderson, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. J. Edwards it is ordered that Robert M. McLane, Jr., Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire of Billings State of Montana, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Reginald Tindall it is ordered that J. E. K. Carnac, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

No. 189. The United States, Appellant, vs. James C. Reed,
190. The United States, Appellant, vs. James C. Reed.

The argument of these causes was continued by Mr. J. C. Edmunds, of counsel for the appellee and concluded by Mr. Assistant Attorney General Dodge, of counsel for the appellant.

209. The Mayor and City Council of Baltimore, Appellants, vs. The Baltimore Trust & Guarantee Company, Limited.

The argument of the cause was commenced by Mr. D. G. Hayes, of counsel for the appellants and continued by Mr. Francis K. Carey and Mr. E. J. Lewis, of counsel for the appellee, and Mr. D. G. Hayes, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras Jr.
Edward D. White.
Rufus W. Peckham.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court was opened,

177. Edward Hodgson, Appellant, vs. The State of Vermont. Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

733. The Interstate Commerce Commission, Appellant, vs. The Cincinnati, New Orleans & Texas Pacific Railway Co. et al. Mr. Assistant Attorney General Whitney, of counsel for the appellant, submitted a motion to advance this cause to the consideration of the Court; no-

204. The Mayor and City Council of Baltimore, vs. The Baltimore Trust & Guarantee Company, Appellants, Appellees.

Reargument of this cause was concluded by Mr. F. J. Mayer, of counsel for the appellees.

211. The Spokane Falls and Northern Railway Company, vs. H. H. Zeigler, Plff in Error, Def't in Error.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. A. T. Britton, Mr. N. D. Browne and Mr. Albert Allen, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

12. The Northern Pacific Railroad Company, vs. Jennie M. Sanders et al, Plff in Error, Def'ts in Error.

This cause was argued by Mr. A. B. Browne, of counsel for the plaintiff in error, and Mr. H. F. Sanders and Mr. S. S. Burdett, of counsel for the defendants in error.

563. The Interstate Commerce Commission, vs. The Alabama Midland Railway Co., et al, Appellants, Appellees.

Reargument of this cause was commenced by Mr. L. A. Shaver, of counsel for the appellants.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer, } Associate
Henry B. Brown, } Justices
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles M. Campbell it is ordered that Cornelius Hardy, Esquire, of Ardmore, Indian Territory, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Patrick it is ordered that George Turner, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

111. The Grand Lodge of the State of Louisiana & G. Mecom, Plff in Error, vs. The City of New Orleans. In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Bradley

114. Thomas Allen, Plff in Error, vs. The State of Georgia. In Error to the Supreme Court of the State of Georgia

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Bradley

Ex parte: In the matter of C. & A. Potts & Co. Petitioner. On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that unless an application to this Court for leave to file a petition for a rehearing in the Circuit Court in the case of C. & A. Potts & Co. vs. Frank F. Creager et al., shall be made within twenty days, and shall, upon consideration be granted by this Court, an order will be entered that the writ of mandamus issue as prayed for.

Per Mr. Justice Gray.

1462. The Henderson Bridge Company, Plff in Error, vs. The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby affirmed with costs.

Levi C. Weir, President of
The Adams Express Company,
vs. Appellant,
536. J. C. Norman, Auditor of Public
Accounts for the Commonwealth
of Kentucky.

Appeal from the
Circuit Court of
the United States
for the District
of Kentucky.

This cause came on to be heard on the transcript
of the record from the Circuit Court of the United
States for the District of Kentucky, and was
argued by counsel. On consideration whereof,
it is now here ordered and adjudged
by this Court that the decree of the said Cir-
cuit Court in this cause be, and the same
hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

Dissenting:
Mr. Justice White,
Mr. Justice Field,
Mr. Justice Harlan
Mr. Justice Brown

337. Henry Sanford, Treasurer &c, Appt, vs. E. M. Poe, Auditor &c, et al.
338. Henry Sanford Treasurer &c, Appt, vs. E. M. Poe, Auditor &c, et al.
339. J. C. Fargo, Treasurer &c, Appt, vs. E. M. Poe, Auditor &c, et al.
340. J. C. Ralt, Treasurer &c, Appt, vs. E. M. Poe, Auditor &c, et al.
398. C. A. Seward, Treasurer &c, Appt, vs. E. M. Poe, Auditor &c
399. J. C. Fargo, Treasurer &c, Appt vs. E. M. Poe, Auditor &c
400. J. C. Ralt, Treasurer &c, Appt, vs. E. M. Poe, Auditor &c
469. The American Express Co, Plff in Err, vs. The State of Indiana.

471. The United States Express Co., Plff in Error, vs. The State of Nebraska.

On consideration of the petition for a rehearing in these cases, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Brewer.

Ex parte: In the matter of Gustave Alix, Master of the Belgian Steamship "Caucasse", Petitioner.

15, Original

On consideration of the petition for a writ of prohibition herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

503. Ellen Leo Simmons, Trustee, vs. Plff in Error. Daniel Birkett,

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

734. The United States, Petitioner, vs. The Buffalo National Fuel Company. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the arguments of Counsel thereon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

728. The Missouri, Kansas & Texas Trust Company, vs. Theodore M. Kennecig and Louise Kennecig. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby

Per Mr. Chief Justice Fuller.

The Interstate Commerce Commission, Appellant,
733. vs.
The Cincinnati, New Orleans & Texas Pacific Railway Co., et al.

On consideration of the motion to advance this cause, It is now ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday the 22d inst., after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

P. H. Rhodes,
116. vs. Plff in Err.,
The State of Texas.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for oral argument.

Per Mr. Chief Justice Fuller.

The Northern Pacific Railroad Company,
70. vs. Plff in Error,
Leonard F. Colburn.

On consideration of the motion filed herein on behalf of the United States to set aside the judgment heretofore entered herein by this Court, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

Hoke Smith, Secretary of the Department of the Interior, and Silas H. Lamoreaux, Commissioner of the General Land Office of the United States,

vs.

Jefferson Raynolds, for himself and the other inhabitants of the Town of Las Vegas, New Mexico, and the Las Vegas Grant, and the Town of Las Vegas,

Appeal from the Court of Appeals of the District of Columbia.

626. Appellants,

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Court of Appeals in this cause be, and the same is hereby, reversed, each party to pay their own costs in this Court; And that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the decree of the Supreme Court of the District of Columbia and remand the cause to that Court with directions to dismiss the bill, with costs, for want of proper parties.

(Per Mr. Chief Justice Fuller.)

345. William S. B. Baker, Plff in Error vs. John Brickell. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

346. Fairfax N. Wheelan, Administrator &c., Plff in Error, vs. John Brickell. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

58. The Brooklyn & New York Ferry Company, Plff in Error, vs. Katie J. MacMahon, Administratrix of the Goods, Chattels & Credits of John Joseph MacMahon deceased. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

701. The United States, Petitioners, vs. The Steamer Three Friends &c. On motion of Mr. Attorney General McKenna, leave is hereby granted the Clerk to issue the mandate in this cause &c.

94. Ana J. Dominguez de Luyer et al., Plffs in Error, vs. William Bamman. On motion of Mr. Solicitor General [illegible] leave is granted to file a brief herein on behalf of the United States within ten days, and to counsel to file a reply thereto within ten days thereafter.

706. The United States, Appellant, v. Numa Raymond, John D. Barnevelle, Joseph Barnevelle and Manuel Benegar. Appeal from the Court of Private Land Claims

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad, of counsel for the appellant, and he having moved the Court to dismiss this appeal. Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed per Mr. Chief Justice Fuller.

911. The Spokane Falls & Northern Railway Company, Plff in Error, vs. N. A. Ziegler. On motion of Mr. George Turner, of counsel for the defendant in error, leave is hereby granted him to file a brief herein within ten days.

797. The Bundon Central Sugar Refining Company et al, Appellants, vs. Jacob H. Payne et al. Mr. John S. Blair, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

747. E. N. R. Green, Petitioner, vs. The Farmers Loan & Trust Co. et al

748. E. N. R. Green, Petitioner, vs. The Farmers Loan & Trust Co. et al

The petitions for writs of certiorari in these cases to the United States Circuit Court of Appeals were submitted to the consideration of the Court on a printed argument by Mr. C. N. Ogden, in support of the same.

1074. Henry M. Reetor, Appellant; vs. Edward Fitzgerald.

The motion to vacate the decree dismissing this appeal and to restore the case to the docket was submitted to the consideration of the Court by Mr. H. M. Rose, in support of the same, and Mr. J. W. Williams, in opposition thereto.

537. Leander C. Goodsell, Plaintiff in Error, vs. The Delta & Pine Land Co. et al

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Frank Johnston, in support of the motion, and Mr. T. B. Catron, in opposition thereto.

645. Caroline M. Forsyth, Appellant; vs. The City of Hammond et al

On motion of Mr. Frederic D. McKinney in behalf of counsel

leave is hereby granted to file a suggestion as to Indiana legislative record since the argument of this case.

The Louisville Trust Company, Appellant,
vs.
The Louisville, New Albany & Chicago Railway Company.
6145.

The Louisville Banking Co., Appellant,
vs.
The Louisville, New Albany & Chicago Railway Company.
6146.

The motion for an order directing the Circuit Court of the United States for the District of Kentucky, sitting at Louisville to vacate an order entered by it on November 14th, 1896, was submitted to the consideration of the Court by Mr. J. W. Kretzinger and Mr. E. C. Field, in support of the same.

The Interstate Commerce Commission, Appellant,
vs.
The Alabama Midland Railway Co. et al.
563.

The argument of this cause was continued by Mr. L. A. Shaver, of counsel for the appellant, and Mr. Ed. Baxter, of counsel for the appellees.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Height, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is open

On motion first made to the Court in this behalf by Mr. Walter A. Smith it is ordered that Alex. Hadden, Esquire, of Cleveland, State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was [illegible] accordingly.

No. 63. The Interstate Commerce Commission, Appellant, v. The Alabama Midland Railway Co. et al.

On motion of Mr. Ed. Baxter, of counsel for the appellee, leave is hereby granted him to file a supplemental

The Interstate Commerce Commission, Appellant,
563. vs.
The Alabama Midland Railway Co. et al.

The argument of this cause was concluded by Mr. Assistant Attorney General Whitney, of counsel for the appellant.

The Interstate Commerce Commission, Appellant,
539. vs.
The Detroit, Grand Haven & Milwaukee Railway Co.

This cause was argued by Mr. Assistant Attorney General Whitney, of counsel for the appellant, and Mr. Harrison Geer, of counsel for the appellee.

The City Railway Company, Appellant,
214. vs.
The Citizens Street Railroad Co.

The argument of this cause was commenced by Mr. Judson C. Harris, of counsel for the appellant.

Proclamation being made the Court adjourned until to-morrow at twelve o'clock.

Wednesday March 17th. 1897.

Pursuant to adjournment the Court met, to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney Esq. Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. James H. Maguire it is ordered that Frank D. Lewis, Esquire, of Riverside, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. F. Tracy it is ordered that George G. Reynolds, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

214. The City Railway Company, Appellant, vs. The Citizens Street Railroad Co. The argument of this cause was continued by Mr. Addison C. Harris, of counsel for the appellant, and Mr. P. C. Knox and Mr. Benjamin Harrison, of counsel for the appellee, and concluded by Mr. Addison C. Harris, of counsel for the appellant.

215. The Alaska Treadwell Gold Mining Company, Plff in Error, vs. Patrick Shelton. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. P. L. Blackman, of counsel for the plaintiff in error, and Mr. Delos Foote, of counsel for the defendant in error.

16. The Long Island Water Supply Co., Plff in Error, vs. The City of Brooklyn et al. The argument of this cause was commenced by Mr. John F. Dillon, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March 18, 1909.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal;
James H. McKenney Esq. Clerk

Proclamation being made the Court opened

On motion first made to the Court in this behalf by Mr. B. F. Tracy it is ordered that Frederick D. Parcell, Esquire of Brooklyn, State of New York, be admitted to practice as an attorney, and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Wayne Parker it is ordered that Winston Paines, Esquire, of Monticello, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Cotton it is ordered that Wallace

McCormant, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

746 Joseph Dasigi, Appellant, vs. John E. Vinde Vaux, Warden. On motion of Mr. David Keane, of counsel for the appellant, it is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, the 22d instant.

746 Joseph Dasigi, Appellant, vs. John E. Vinde Vaux, Warden. The motion to admit the appellant to bail pending the hearing was submitted to the consideration of the Court by Mr. David Keane, in support of the same, and Mr. John L. Lindsay, in opposition thereto.

716 The Long Island Water Supply Co., Plff in Err., vs. The City of Brooklyn. The argument of this cause was continued by Mr. A. S. McDonald and Mr. George L. Reynolds, of counsel for the defendant in error, and concluded by Mr. B. F. Tracy, of counsel for the plaintiff in error.

214. The City of St. Louis
vs.
The Western Union Telegraph Co.

Reargument of the Cause was commenced by Mr. W. C. Marshall, of counsel for the plaintiff in error, and continued by Mr. John F. Dillon, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion just made to the Court in this behalf by Mr. J. C. Spooner it is ordered that Louis Hanitch, Esquire, of Superior, State of Wisconsin, and Louis K. Hull, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly sworn.

On motion just made to the Court in this behalf by Mr. John J. Lentz it is ordered that Hugh St. Mathews, Esquire, of Sidney, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

210. J. Harrison Johnson, Appellant, vs. The Baltimore & Potomac Railroad Company. Appeal from the Court of Appeals of the District of Columbia.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed.

Per Mr. Chief Justice Waite.

219. The City of St. Louis, Plff in Error, vs. The Western Union Telegraph Co. The argument of this cause was continued by Mr. Ebenezer Smith, of counsel for the defendant in error, and concluded by Mr. H. C. Marshall, of counsel for the plaintiff in error.

221. The F. G. Oxley Stave Co. et al., Plff in Error, vs. The County of Butler et al. This cause was argued by Mr. Isaac H. Lionberger, of counsel for the plaintiffs in error, and Mr. F. M. Estes and Mr. John F. Dillon, of counsel for the defendants in error.

Herman Zadig et al.,
777. vs. Plffs in Error,
Ida B. Baldwin.

This cause was argued by Mr. Edmund Tauszky of counsel for the plaintiffs in error, and submitted on a printed argument by Mr. F. C. Van Ness, of counsel for the defendant in error. Leave was granted Mr. Edmund Tauszky, of counsel for the plaintiffs in error, to file an additional brief within two days.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock M.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan
Horace Gray,
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Harlan Cleveland, Esquire, of Cincinnati State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joshua Eric Dodge it is ordered that Frank H. Jones, Esquire, of Springfield, State of Missouri be admitted to practice as an attorney and Counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. James G. Maguire it is ordered that Marion De Vries, Esquire, of Stockton, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. H. Clarke it is ordered that Gregory L. Smith, Esquire, of Mobile, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Douglass it is ordered that Gunnery [illegible] Jr. Esquire, of Perry, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. Tompkins it is ordered that William N. Haskell, Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and, he was sworn accordingly.

Monday, March 21st, 1892. Continued

67. The United States, Appellant, vs. The Trans-Missouri Freight Association et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the Circuit Court of the United States for the District of Kansas in this cause be and the same are hereby reversed, and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Mr. Justice Peckham delivered the opinion of the Court.

Dissenting:
Mr. Justice White,
Mr. Justice Field,
Mr. Justice Gray,
Mr. Justice Shiras.

102. The Panama Railroad Company, Appellant, vs. The Napier Shipping Co. (Limited). On writ of certiorari to the United States Circuit Court of Appeals for the Second Cir-

of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the Circuit Court of the United States for the Southern District of New York of July 7, 1891, in this cause, be, and the same is hereby, affirmed, with costs to the respondent; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the libel with costs.

Per Mr. Justice Brown.

196 A. N. Nelson et al., vs. Riffe in Error, Richard Flint et al. The death of A. H. Cannon, one of the plaintiffs in error, having been suggested. It is now here ordered by the Court that John M. Cannon, Administrator of the estate of said A. H. Cannon, deceased, be, and he is hereby, made a party plaintiff in error in this cause.

196 A. N. Nelson, Frank J. Cannon, and John M. Cannon, Administrator of A. H. Cannon, deceased, vs. Riffe in Error, Richard Flint. In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript

of Utah, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and ten per cent. damages; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr. Justice Bradley.

Margaret M. Gibson, Appellant,
135. vs. Appeal from the
The United States. Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Waite.

Henry M. Nelson,
104. vs. Appellant, On consideration of the motion to vacate the decree dismissing the appeal and to restore the case to the docket, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is,
Edward Fitzgerald,

537. Leander C. Goodsell, Plff in Error, v. The Delta & Pine Land Company, Thomas Nelson and William Nelson. } In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

792. The Purdon Central Sugar Refining Company et al., Appellants, v. Jacob H. Payne et al. } On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause advanced as under the 23d rule, to be taken on printed Briefs on or before the second Monday of April next.

Per Mr. Chief Justice Fuller.

747. Edw. R. Green, Petitioner, vs. The Farmers Loan & Trust Co. et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

748. Edw. R. Green, Petitioner, vs. The Farmers Loan & Trust Co. et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

(Per Mr. Chief Justice Fuller.)

746. Joseph Savage, Appellant, vs. John S. Van De Carr. On consideration of the motion to admit the appellant herein to bail, It is now here ordered by the Court that said motion be and the same is hereby denied.

(Per Mr. Chief Justice Fuller.)

45. The United States, Appellant, vs. Earl B. Coe. It is ordered by the Court that this cause be and the same is hereby restored to the docket for reargument.

(Per Mr. Chief Justice Fuller.)

The Louisville Trust Co,
6115. vs. Appellant,
The Louisville, New Albany & Chicago Railway Company.
The Louisville Banking Co
6116. vs. Appellant,
The Louisville, New Albany & Chicago Railway Company.

On consideration of the motion for an order directing the Circuit Court of the United States for the District of Kentucky, sitting at Louisville, to vacate the order entered by it on November 14, 1874.

It is now here ordered by the Court that said Circuit Court be, and it is hereby, directed to vacate the order dismissing the bill on appellee giving bond in such penalty, with such sureties, and so conditioned, as said Circuit Court shall deem fit in the premises.

Per Mr. Chief Justice Waite.

The United States,
232. vs. Appellant,
Simon Goldenberg et al.

On motion of Mr. Assistant Attorney General Whitney, it is ordered by the Court that this cause be, and the same is hereby, dismissed.

Elverton R. Chapman,
744. vs. Petitioner,
The United States.

The petition for a writ of Certiorari herein to the Court of Appeals of the District of Columbia was submitted to the consideration

P. Edmunds, Mr. J. M. Wilson and Mr. A. J. Dittenhoefer, in support of the same.

750 George H. Rees, Petitioner, vs. Count Joseph Pfeffer. The petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Joseph Wheeler and Mr. Clarence A. Miller, in support of the same, and Mr. J. L. Pickett, in opposition thereto.

750 The Republican Mining Co., Petitioner, vs. The Hyde Mining Company. The petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on a printed argument by Mr. W. B. Hepburn, in support of the same.

751 The Boston Safe Deposit & Trust Company, Appellant, vs. Grant Watkins et al. Mr. Henry B. Tompkins, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

754. Alexey H. Von Schmidt, Petitioner, v. A. B. Bowers. The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on a printed argument by Mr. M. A. Wheaton and Mr. F. V. Keesee, in support of the same, and on motion of Mr. William A. Maury leave was granted counsel for respondent to file a printed argument in opposition thereto within ten days.

751. The National Safe Deposit Savings & Trust Company, Administrator, Plff in Error, v. William G. Sterett, Margaret Bowmer, John H. Hall et al. In Error to the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. R. Ross Perry, of Counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

751. The National Safe Deposit, Savings & Trust Company, Adm'r, &c., Appellant, vs. William H. Steuart et al, Respondents. On motion of Mr. R. Ross Perry, of Counsel for the Plaintiff in Error, leave is hereby granted the Clerk to issue the mandate, in this cause.

Ex parte: In the matter of Joseph H. Hall, Petitioner. Mr. Elwin Forrest submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Ex parte: In the matter of Edward Eckart, Petitioner. In re Appeal. This case was submitted to the consideration of the Court on printed arguments by Mr. Rublee A. Cole, of Counsel for the petitioner, and Mr. H. H. Wyborn, of Counsel for the respondents.

Ex parte: In the matter of Philip Hein, Petitioner. In re Appeal. This case was argued by Mr. H. H. Singleton, of Counsel for the petitioner, and Mr. H. A. Meyrath, (by special leave), of Counsel for the respondents.

716. Joseph A. Scoiy, Appellant,
vs.
John E. Van De Vanter, Trustee, &c.

This cause was argued by Mr. Frederic R. Coudert, Jr. of counsel, for the appellant, and Mr. John N. Lindsay, of counsel for the appellee.

723. The Interstate Commerce Commission, Appellant,
vs.
The Cincinnati, New Orleans & Texas Pacific Railway Co. et al.

The argument of this cause was commenced by Mr. Harlan Cleveland, of counsel, for the appellant, and continued by Mr. St. Baxter, of counsel, for the appellees.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras Jr.,
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James H. McKenney, Esq.

Proclamation being made, the Court is opened.

On motion first made to the Court in his behalf by Mr. Solicitor General Conrad it is ordered that Charles N. Lovell, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. H. B. Matthews it is ordered that Hallie Allen Jones, Esquire, of Wallace, State of Idaho, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Turner it is ordered that Nelson R. Gay, Andrew Trull Burleigh, John A. Brown and Harold Preston, Esquires, of Seattle, State of Washington, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

Ex parte: In the matter of Elverton R. Chapman, Petitioner. H. Original.

Ordered by the Court that this case be placed at the head of the call for to-morrow.

Per Mr. Chief Justice Fuller.

The Interstate Commerce Commission, Appellant; vs. The Cincinnati, New Orleans & Texas Pacific Railway Co. et al. 733.

The argument of this cause was continued by Mr. Ed. Baxter, of counsel for the appellees, and concluded by Mr. George F. Edmunds, of counsel for the appellant.

The National Bank of Commerce of Seattle, Plff in Error, vs. The City of Seattle et al. 223.

The Seattle National Bank of Seattle, Plff in Error, vs. The City of Seattle et al. 224.

These cases were argued by Mr. Harold Preston, of counsel for the plaintiffs in

225. The Puget Sound National Bank of Seattle, vs. Plff in Error, The City of Seattle et al.

226. The Stadlington National Bank of Seattle, vs. Plff in Error, The County of King et al.

Burleigh, of Counsel for the defendants in error in No. 226, and Mr. John K. Brown, of Counsel for the defendants in error in Nos. 223, 224 and 225.

227. A. B. Roff, vs. Plff in Error, Louisa Burney et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

228. The American Harrow Co., vs. Appellant, John B. Shaffer, Commissioner of Revenue et al.

The argument of this cause was commenced by Mr. F. D. Blair, of Counsel for the appellant, and continued by Mr. R. Taylor Scott, of Counsel for the appellee.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer Associate
Henry B. Brown Justices.
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Hoar it is ordered that Horace Morrill Knowlton, Esquire, of New Bedford, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cushman K. Davis it is ordered that Emerson Hadley, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

225. The American Steamboat Co., Appellant, vs. John B. Shaffer, Commissioner of Revenue, et al. Rearguments of this cause were continued by Mr. A. Taylor, Scott, of Counsel for the appellees, and concluded by Mr. F. S. Key, of counsel for the appellant.

Ex parte: In the matter of Everton R. Chapman, Petitioner. Rearguments of this cause were commenced by Mr. Geo. Ed. Edmunds, of counsel for the petitioner, continued by Mr. Solicitor General Conrad, of counsel for the respondent, and concluded by Mr. A. G. Dittenhoefer, of counsel for the petitioner.

135. William H. Moses et al., Administrators &c., vs. The United States. Rearguments of this cause were commenced by Mr. H. F. Mullowny, of counsel for the plaintiffs in error, and continued by Mr. Solicitor General Conrad, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer } Associate
Henry B. Brown } Justices
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Robert Andrews it is ordered that J. B. Ferguson, Esquire, of Enid, Territory of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Bullamore it is ordered that Charles Dick and George H. Sieber, Esquires, of Akron, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. H. Grosvenor it is ordered that Henry Purcell, Esquire, of Watertown, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. T. Mattingly it is ordered that Alexander L. Smith, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

244. Levi S. Mulford vs. The United States. Writ of Error. Ordered by the Court that this cause be, and the same is hereby passed.

135. William A. Moses et al. Administrators &c. vs. The United States. Writ of Error. The re-argument of this cause was continued by the Solicitor General, Conrad, of counsel for the defendant in error, and concluded by Mr. H. L. Cole, of counsel for the plaintiffs in error.

229. William F. Davis, Plff in Error
v.
The Commonwealth of Massachusetts

This cause was argued by Mr. Howard M. Knowlton, of Counsel for the defendant in error, and submitted on a printed argument by Mr. James F. Pickering, of Counsel for the plaintiff in error.

230. Robert H. Hunt et al., Plffs in Error
v.
The United States

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Hugh C. Ward, of Counsel for the plaintiffs in error, with leave to Counsel for the defendant in error to file a printed brief within one week.

231. J. E. Tindal et al., Plffs in Error
v.
Edward B. Healey.

This cause was argued by Mr. W. A. Barber, of Counsel for the plaintiffs in error, and Mr. H. N. Lyles, of Counsel for the defendant in error.

233. George H. Sentell, Jr., Plff in Error
v.
The New Orleans & Carrollton Railroad Company

This cause was submitted to the consideration of the Court on the record and printed.

Thursday, March 25th, 1869. Continued.

for the plaintiff in error, and Mr. Henry [illegible] of counsel for the defendant in error.

234. The United States, Appellant, vs. Clarence A. Swithenbank. This cause was argued by Mr. Assistant Attorney General Dodge, of counsel for the appellant, and Mr. John C. Fay, of counsel for the appellee.

239. The Wabash Railroad Co., Plff in Error, vs. The City of [illegible], Defendant. The argument of this cause was commenced by Mr. Alexander L. Smith, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John Marshall Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

716. Joseph A. Lasiqi, Appellant, v. John E. VanDeCarr, Warden. On motion of Mr. Joseph Kling leave is hereby granted, counsel for the appellant to file a supplemental brief herein and to counsel for the appellee to file a reply thereto within five days.

938. George F. Underhill, Plaintiff in Error, v. Jose Manuel Hernandez. On motion of Mr. Joseph Kling, it is ordered by the Court that this cause be, and the same is hereby passed, subject to the provisions of Section 9 of Rule 16.

Daniel Hamer, Tax Collector Weber County, Utah, vs. Appellant, County of Weber. } Appeal from the Supreme Court of the Territory of Utah.

No.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th. rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. And it is further ordered that this cause be and the same is hereby, remanded, to the Supreme Court of the State of Utah.

Per Mr. Chief Justice Fuller.

Daniel Hamer, vs. Appellant, Weber County and Joseph T. Ledwidge, } Appeal from the Supreme Court of the Territory of Utah.

No. 244.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. And it is further ordered that this cause be, and the

of the State of Utah.

per Mr. Chief Justice Fuller.

239. The Wabash Railroad Co., vs. Plff in Error, The City of Defendant, } The argument of this cause was continued by Mr. H. H. Hubbard, of counsel for the defendant in error and concluded by Mr. Henry Newbegin, of counsel for the plaintiff in error.

240. Morris L. Gladson vs. Plff in Error, The State of Minnesota. } This cause was argued by Mr. Emerson Hadley, of counsel for the plaintiff in error, and Mr. H. W. Childs, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until Monday next, at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John Marshall Harlan
Horace Gray
David J. Brewer, } Associate
Henry B. Brown } Justices.
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court was opened.

On motion first made to the Court in this behalf, by Mr. Attorney General McKenna it was ordered that William F. Herrin, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Solicitor General Conrad it was ordered that William M. Wright, Jr. Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hubley Ashton it is ordered that Arthur J. Eddy, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Luther R. Smith it is ordered that Hollis Dales Fiske, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that the Court would take a recess from Monday April 5th to Monday, April 19th.

The Boston Safe Deposit & Trust Company
vs. Petition
Grant Hilkins et als.

572

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied, but leave is hereby given to submit the cause on printed briefs on or before the second Monday of April, if counsel shall be so advised.

Per Curiam. Chief Justice Fuller.

750.	The Republican Mining Company, Petitioner vs. The Pyle Mining Company,	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit and of the argument of counsel in support thereof, It is ordered by the Court that said petition be, and the same is hereby denied.

Dec. 9th, 1907.

755.	George W. Rives, Petitioner, vs. Circuit Court,	On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit and of the argument of counsel thereon, It is ordered by the Court that said petition be, and the same is hereby denied.

Dec. 9th, 1907.

	Ex parte In the matter of Joseph P. Hall, Petitioner.	On motion for leave to file a petition for writ of mandamus

said motion be, and the same is hereby granted.
(Per Mr. Chief Justice Waite.)

Ex parte In the matter of
Joseph P. A. Hall,
Petitioner.

On consideration
of the petition of
Joseph P. A. Hall,
it is now here or-
dered by the Court that cause be shown by the
Judges of the Court of Claims before this Court,
at Washington, on Monday, April 5, 1877, at
12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ
of mandamus should not be granted as
prayed.
(Per Mr. Chief Justice Waite.)

The American Hansard
Company,
Appellant
v.
John D. Shuffer, Commissioner
of the Revenue of Hardy County,
Virginia, etc.

Appeal from the
Circuit Court of
the United States
for the Western
District of Virginia.

This cause came on to be heard on the transcript
of the record from the Circuit Court of the United
States for the Western District of Virginia, and
was argued by counsel. On consideration where-
of, it is now here ordered, adjudged, and decreed
by this Court that this appeal be, and the same
is hereby dismissed for the want of jurisdiction.

The Oceanic Steam Navigation Company Claimant of the Steamship "Majestic",
vs. Appellant;
163. Grace Howard Potter Claimant

On writ of error, to the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said United States Circuit Court of Appeals in this cause modifying the decree of the District Court of the United States for the Southern District of New York be, and the same is hereby, reversed and the decree of the said District Court affirmed with costs; and that this cause be, and the same is hereby, remanded to the said District Court.

(Per Mr. Chief Justice Waite)

N. L. Stevenson,
vs. Appeal from
587. Russell Sage & others. Error,

The motion to dismiss filed on behalf of the United States Circuit Court, submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Conant, in support of the same, and Mr. Moses & Clapp, of Counsel for the plaintiff in error, and Mr. A. T. Britton, and Mr. W. B. Dos[illegible] of Counsel for the defendant in

712. The United States, Appellant, vs. The American Tobacco Co. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and a printed argument by Mr. C.W. Needham and Mr. John B. Cotton, of counsel for the appellee, with leave to counsel for the appellant to file a printed brief in reply.

713. The Central National Bank of Boston, et al., Plffs in Error, vs. Aaron R. Stevens et al. On motion of Mr. Walter Bates, Esq., on behalf of counsel, it is ordered by the Court that this cause be and the same is hereby dismissed, subject to the provisions of section 1 of Rule 16.

763. John Claflin, Petitioner, vs. Theodore A. Talbot, Resp't. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed argument by Mr. Edmund Wetmore, and Mr. Charles W. Gould, in support of the same, and leave was granted Mr. B. F. Lee to file a printed brief in opposition thereto within ten days.

Ex parte In the matter of The Johnson Company, Mr. John C. Bunn submitted to the consider-

motion for leave to file a petition for a writ of mandamus herein.

730. Mary S. Chaplin, Appellant, vs. The United States.
731. Winchester Fuller et al., Appts., vs. The United States.
743. The United States, Appellant, vs. Mary S. Chaplin et al.

Mr. Stanton, of counsel, submitted to the consideration of the Court a motion to advance these cases.

251. The Western Union Telegraph Company, Plff. in Error, vs. Lee L. Hewitt, Def't. in Error. } In Error to the Supreme Court of the State of Georgia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, this, therefore, in pursuance of the 16th rule of this Court, it is ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

242. The American Publishing Co., Plff. in Error, vs. A. Fisher et al., as The A. Fisher Bronzing Co. } This cause was argued by Mr. J. M. Wilson, of counsel, for the plaintiff in error, and Mr. G. L.

2145. A. K. Parsons, Plff in Error, v. The State of Missouri. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. J. S. Craig, of counsel for the plaintiff in error. No brief filed for the defendant in error.

2146. The Texas & Pacific Railway Co., Plff in Error, v. Henry D. Cole. This cause was argued by Mr. R. D. Duncan, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. E. B. Krutschnitt, Mr. Edgar M. Ferran, Mr. S. F. Jonas and Mr. Thomas F. Hoit, of counsel for the defendant in error.

2147. The Texas & Pacific Railway Co., Plff in Error, v. William K. Barrett. This cause was argued by Mr. R. D. Duncan, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. A. H. Garland and Mr. R. C. Garland, of counsel for the defendant in error.

2148. William H. Brauer et al., Appellants, v. Compania de Navegacion La Flecha. The argument of this cause was commenced by Mr. Wallace Mundee, of counsel, & the ad[illegible]

continued by Mr. [illegible]

Thursday, March 30th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.

John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
John M. Knight, Esquire, Marshal,
James H. McKenney, Esq., Clerk.

Proclamation being made the Court is opened.

On motion filed made to the Court on this day by Mr. S. B. Whitney it is ordered that Francis D. Sell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was duly admitted accordingly.

No. 1. Original. In the matter of Samuel Lemon, Appellant.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. M. Barber, Mr. F. N. Judd and Mr. Walter H. Smith, of counsel for the appellant, and Mr. George C. Greene (of counsel), for the Lake Shore &

William H. Whitehill,
248. N. Appellant,
George A. Means, William Jones, Administrator of George A. Means, deceased, et al.

Appeal from the Supreme Court of the Territory of Utah.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, This, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. And it is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr. Chief Justice Fuller.

William N. Brauer et al.,
249. vs. Appellants,
Compania De Navigacion La Flecha.

Reargument of this cause was continued by Mr. W. W. Mac Farland, of Counsel for the appellants, and concluded by Mr. Wilhelmus Mynderse, of Counsel, for the appellee.

Edwin N. Carter,
250. vs. Aff in Error,
Charles Ruddy et al.

This cause was submitted to the consideration of the Court on the

argument by Mr. J. R. McBride, Mr. Albert Allen, and Mr. W. B. Hepburn, of counsel for the plaintiff in error, and Mr. Edgar Wilson, of counsel for the defendants in error.

252. Alonzo H. Allen, Pltff in Error, vs. Julius Zollop

This cause was argued by Mr. George Bradford Carr, of Counsel for the defendant in error, and submitted on a printed argument by Mr. Hector T. Fenton, of counsel for the plaintiff in error.

253. The Washington & Georgetown Railroad Company, Baltimore & Potomac Railroad Co., Pltffs in Error, vs. Margaret L. Hickey et al

The argument of this cause was commenced by Mr. Samuel Maddox, of Counsel for the Baltimore & Potomac Railroad Company, continued by Mr. M. J. Colbert and Mr. George E. Hamilton, of counsel for the defendants in error and concluded by Mr. Walter D. Davidge, of Counsel for The Washington & Georgetown Railroad Company.

255. Charles E. Henry, Survivor &c., Pltff in Error, vs. George Elliott et al, Executors &c.

The argument of this cause was commenced by Mr. Ernest F. Wurtz, of Counsel for the plaintiff in error

Wednesday, March 31st, 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. W. Grout it is ordered that James A. Walker, Esquire, of Wytheville, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Helm Bruce it is ordered that Henry Lewis Stone, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

2nd

Brooke Mackall,
vs. Appellant
Wade Hemingway

On motion of Mr. H. S. Davis, of Counsel for the appellant, It is ordered by the Court that this cause be passed to be heard with Case No. 281, as one case, and on the record in the latter case.

262

The Little Rock & Fort Smith Railway
vs. Plff in Error,
John S. Renfroe

On Error to the Supreme Court of the State of Arkansas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 16th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

263

John Knight
vs. Plff in Error,
The International & Great Northern Railway Company & C. Morse
Pacific Railway Company

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Ct.

This cause having been called for hearing in its regular order, and it appearing to the

Court that the plaintiff in error has failed to prosecute his petition for a writ of Certiorari herein. Therefore, It is therefore ordered and adjudged by this Court that the petition for a writ of Certiorari in this cause be, and the same is hereby dismissed.

(Per Mr. Chief Justice Waite.)

255. Charles E. Hovey, Survivor &c., Plaintiff in Error, v. Geo. P. Elliott et al, Executors &c. Defendants in Error. } The argument of this cause was continued by Mr. Everett P. Wheeler, of Counsel for the plaintiff in error, and Mr. John Selden, of Counsel for the defendants in error, and concluded by Mr. A. S. Worthington, of Counsel for the plaintiff in error.

256. The St. Joseph & Grand Island Railroad Co., Appellant, v. R. M. Steele, Sheriff &c. Appellee. } The argument of this cause was commenced by Mr. John M. Thurston of Counsel for the Appellant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'Clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
John M. Knight, Esquire, Marshal.
James H. McKenney, Esq., Clerk.

Proclamation being made the Court adjourned.

765. The United States, Appellant, vs. The First Pacific Association et al. Mr. Solicitor General Conrad, of Counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

770. Lewis E. Carson, Jr., Appellant, vs. The United States. On motion of Mr. Solicitor General Conrad, it is ordered by the Court that this cause be, and the same is hereby, advanced.

256. The St. Joseph & Grand Island Railroad Co., Appellant, vs. P. H. Hoyt, Sheriff, etc. The argument of this cause was continued by Mr. John M. Thurston, of counsel for the appellant, and Mr. P. L. Soper and Mr. J. N. Gillpatrick, of counsel for the appellee, and concluded by Mr. John M. Thurston, of counsel for the appellant.

255. The Electric Company, Plaintiff in Error, vs. Joseph A. Dow, Defendant in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. M. E. Lorenzen, of counsel for the plaintiff in error, and Mr. Henry M. Baker, of counsel for the defendant in error.

261. The Louisville & Nashville Railroad Co., Plaintiff in Error, vs. The City of Louisville. This cause was argued by Mr. Helm Bruce, of counsel for the plaintiff in error, and Mr. Henry L. Stone, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday, April 2d, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray,
Henry B. Brown, Associate
George Shiras, Jr., Justices.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

Ex parte In the matter of
C. & A. Potts & Co.,
Petitioners,

On motion of Mr. Charles B. Peters, in behalf of counsel for the respondent, leave is hereby granted to file a petition for leave to file a petition for rehearing in the Circuit Court of the United States for the South ern District of Ohio in the case of C. & A. Potts & Co., vs. Frank F. Creager et al.

No. 1877.

The Mayor, Counsellor & Aldermen of the City of Annapolis,
vs.
Plaintiffs in Error,
Harry M. Rendall, William G. Eichelberger et al.

In Error to the Court of Appeals of the State of Maryland.

regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

265. John A. Stone, Plaintiff in Error, v. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. R. McBride and Mr. C. W. Bunn, of counsel for the plaintiff in error, and Mr. Solicitor General Conrad, of counsel for the defendant in error.

266. Edward E. O'Brien, Appellant, v. Price Ham Miller et al. This cause was argued by Mr. Wilhelmus Mynderse, of counsel for the appellee, and Mr. Sidney Chubb, of counsel for the appellant.

268. N. C. Cross et al., Receivers &c., et al., Plaintiffs in Error, v. J. M. Turner. This cause was argued by Mr. Rush Taggart, of counsel for the defendant in error, and submitted on a printed argument by Mr.

for the plaintiffs in error.

William May Trustee, et ux, vs. Wallace, Sarah Maria May et al. — Argument of this Cause was commenced by Mr. H. D. Harding, Counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf, by Mr. Solicitor General Conrad it is ordered, that John A. Little, Esquire, of Greenwood, State of Arkansas, William H. H. Clayton, Esquire of Fort Smith, State of Arkansas, and, Thomas A. Malone, Esquire, of Nashville, State of Tennessee, be admitted to practice, as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. C. Michener it is ordered that L. E. Curlee, Esquire, of Birmingham, State of Alabama,

seller of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. A. Wheaton it is ordered that N. A. Hedrick, Esquire, of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Bryan it is ordered that A. G. Bell, Esquire, of Marshall, State of Illinois, be admitted to practice as an attorney and counseller of this Court and he was sworn accordingly.

170. Joaquin Martin, Plaintiff in Error, vs. The Atchison, Topeka & Santa Fe Railroad Company. In Error to the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham,

Dissenting:

219. The City of St. Louis, Pltff in Error, vs. The Western Union Telegraph Company. } In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. Mr. Justice Miller.

28. The Cunard Steamship Company Limited, Owner of the Steamship "Umbria," Appellant, vs. Guyon Fibre, Manager of The Compagnie Française de Navigation à Vapeur. } On writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the District Court of the United States for the Eastern District of New York of January 13, 1890, in this cause, with respect to the question

with costs; and that this cause be, and the same is hereby, remanded to the said District Court with directions to enter a new decree in conformity with the opinion of this Court.

Per Mr. Justice Brewer.

516. Ma-Koo-Yet-Lee, Pl'ff in Error, v. The United States. It is ordered by the Court that leave be, and the same is hereby, granted counsel to submit briefs on the question of the jurisdiction of this Court within ten days.

Per Mr. Chief Justice Fuller.

754. Alexey N. Von Schmidt, Petitioner, v. A. B. Bowman. On petition for writ of error to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, and due consideration thereof, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

557. N. S. Swenson, Pl'ff in Error, v. Russell Sage, Assignee, &c. It is ordered by the Court that the motion to dismiss herein be, and the

with leave to the United States and to each of the parties to take proofs by deposition on notice.
(Per Mr. Chief Justice Fuller.)

730. Mary S. Chaplin, Appellant, vs. The United States.
731. Henrietta Fuller et al., Appellants, vs. The United States.
743. The United States, Appellant, vs. Mary H. Kibbe et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court, that said motion be, and the same is hereby denied.
(Per Mr. Chief Justice Fuller.)

Ex parte In the matter of The Johnson Company et al., Petitioners.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is, hereby, denied.
(Per Mr. Chief Justice Fuller.)

735. The United States, Appellant, vs. The Joint Traffic Association et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

Meredith Appellant vs. [illegible] Respondent

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245. J. R. Parrend, Appellant, vs. Wm. Kirkham, Sheriff, &c. et al., Respondents. } Appeal from the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice Taney.

746. Joseph A. Spies, Appellant, vs. John C. Van Dekar, Warden of the City Prison of the City of New York. } Appeal from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Taney.

374. Alexander D. Hooe, Junior, Emilie M. Hooe et al., vs. Hugh Jamieson, Hugh S. Jamieson, L. A. Spunes et al. In Error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Taney.

375. Alexander D. Hooe, Junior, Emilie M. Hooe et al., vs. Jacob Herner, Gulende Herner et al. In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed, with costs.

James Allen,
Oct. 1875. v. Appellant,
Frank J. Cannon et al.

It is ordered by the Court that the mandate in this cause be directed to the Supreme Court of the State of Utah.

Per Mr. Chief Justice Fuller.

E. A. Hubbard, Assignee,
601 v. Appellant
J. Kennedy et al.

The Sioux City & Neill & Western Railway Co.,
778. v. Appellant,
The Manhattan Trust Co.

The Sioux City & Neill & Western Railway Co. et al.
v. Appellants
714. The Manhattan Trust Co.

The motion to advance these cases was submitted to the consideration of the Court by Mr. John L. Webster, Mr. George W. Wickersham and Mr. John Carmichael, in support of the same and suggestions in reference to said motion submitted by Mr. John C. Coombs and Mr. H. J. Taylor, of counsel for the appellants.

The Sioux City & Neill & Western Railway Co.,
778. v. Appellant,
The Manhattan Trust Co.

The Sioux City & Neill & Western Railway Co. et al.
v. Appellants
714. The Manhattan Trust Co.

The petition for a writ of certiorari to bring up the entire record in these cases was submitted to the consideration of the Court on printed

Mr. J. C. Coombs and Mr. Henry J. Taylor, in support of the same, and Mr. John L. Webster, Mr. George W. Wickersham and Mr. John L. Cadwalader, in opposition thereto.

667. The Bondholders and Purchasers of the Iron Railroad, Appellants, vs. The Toledo, Delphos & Burlington Railroad Company et al.

The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the consideration of the Court on printed arguments by Mr. J. C. Coombs and Mr. Charles N. Nelson, in support of the same, and Mr. Clarence Brown, in opposition thereto.

742. The United States, Appellant, vs. The American Tobacco Co.

On motion of Mr. John B. Cotton, of Counsel for the appellee, leave is hereby granted him to file a brief in reply herein on or before Wednesday next.

461. The American Bell Telephone Company, Appellant, vs. The Western Union Telegraph Company et al.

The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the First Circuit was

printed arguments by Mr. J. M. Kenton, Jr., and Mr. John F. Dillon, in support of the same, and Mr. James J. Hemon, in opposition thereto.

707. Rudolph Siegel, Petitioner, vs. Julius Hochheimer et al. The petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the consideration of the Court on printed arguments by Mr. Hiram F. Gilbert, in support of the same, and Mr. Levy Mayer, in opposition thereto.

672. The Omaha & Council Bluffs Railway & Bridge Company et al. vs. Plaintiffs in Error, Spencer Smith. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. S. Shawn, in support of the same, and Mr. John N. Baldwin, in opposition thereto.

316. Charles P. Barrett, vs. The United States. Plaintiffs in Error, Ordered by the Court that this cause be, and the same is hereby Continued, until the next Term, per stipulation of Counsel.

A. Backus, Jr., & Sons, et al.,
374. vs. Appeals in Error
The Fort Street Union Depot Co. Ordered by the Court that this cause be, and the same is hereby, continued, until the next term, per stipulation of counsel.

Richard H. Fletcher,
330. vs. Appeals in Error
The Baltimore & Potomac Railroad Co. Ordered by the Court, that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

William May Pusla, et ux.,
269. vs. Appellants,
Sarah Maria May et al. The argument of this cause was continued by Mr. W. D. Davidge, of counsel for the appellants, and Mr. W. A. Dennis and Mr. Enoch Totten, of counsel for the appellees, and concluded by Mr. W. D. Davidge, of counsel for the appellants.

A. S. Churchill, Attorney General, et al.,
310. vs. Appellants,
Oliver Ames et al. Mr. John L. Webster, of counsel for the appellants, suggested the expiration of the term of office of A. S. Churchill,

A. S. Churchill, Attorney General, et al.,
311. vs. Appellants,
George Smith et al.

A. S. Churchill, Attorney General, et al.,
312. vs. Appellants

Joel A. Piper, Secretary of State, Eugene Moore, Auditor of Public Accounts, Joseph S. Bartley, State Treasurer, and Henry C. Russell, Commissioner of Public Lands and Buildings, constituting The State Board of Transportation of the State of Nebraska, and William A. Dilworth, J. M. Kountze and J. W. Johnson, Secretaries of said Board, the respondents in their official capacities, moved the Court to dismiss. Constantine J. Smyth, Attorney General, W. L. Porter, Secretary of State, John F. Cornell, Auditor of Public Accounts, J. B. Meserve, State Treasurer, and J. C. Wolfe, Commissioner of Public Lands & Buildings, constituting The State Board of Transportation of the State of Nebraska, and James C. Dahlman, Joseph W. Edgerton and Gilbert L. Laws, Secretaries of said Board, as the parties appellants in these causes. Whereupon, It is now ordered by the Court that the said Constantine J. Smyth, Attorney General, et al., be and they are hereby made the parties appellants in these causes.

310. C. J. Smyth, Attorney General, et al., Appellants, vs. Oliver Ames et al.

311. C. J. Smyth, Attorney General, et al., Appellants, vs. Hugo Smith et al.

312. C. J. Smyth, Attorney General, et al., Appellants,

On motion of Wm. John L. Webster Counsel for the appellants it is ordered by the Court that two hours additional time be allowed

side for the argument of these cases, and that time cannot be allowed to argue the cases for the appellants.

310. C. J. Smyth, Attorney General, etal., vs. Appellants, Oliver Ames et al. — The argument of these cases was commenced by Mr. John L. Webster, of Counsel for the appellants.

311. C. J. Smyth, Attorney General, etal., vs. Appellants, George Smith etal.

312. C. J. Smyth, Attorney General, etal., vs. Appellants, Henry L. Higginson etal.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that A. C. Truesdale, Esquire, of Minneapolis, State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was accordingly sworn.

On motion first made to the Court in this behalf by Mr. W. H. Dennis it is ordered that James A. McCormick, Esquire, of Syracuse, State of New York be admitted to practice as an attorney and counsellor of this Court and he was accordingly

Mr. William J. Bryan it is ordered that Thomas M. Jett, Esquire, of Hillsboro, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

310. C. J. Smyth, Attorney General, et al. vs. Oliver Ames et al. } Appellants,

311. C. J. Smyth, Attorney General, et al., vs. George Smith et al. } Appellants,

312. C. J. Smyth, Attorney General, et al. vs. Henry L. Higginson et al. } Appellants,

The argument of these cases was continued by Mr. John L. Webster and Mr. William J. Bryan, of counsel for the appellants, and Mr. J. M. Woolworth, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion duly made to the Court in this behalf by Mr. J. H. Mitchell it is ordered that Erwin N. Perry, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

358. John H. Burke, Sheriff &c., Appellant, vs. William Grace,
359. John H. Burke, Sheriff &c., Appellant, vs. T. F. Hunter,
760. John H. Burke, Sheriff &c., Appellant, vs. W. E. Hunter, and
761. John H. Burke, Sheriff &c., Appellant, vs. Arthur M. Finlay.

Mr. Horace Chilton, in behalf of counsel, for the appellant, submitted to the consideration of the Court motions to advance these cases.

310. C. J. Smyth, Attorney General, et al., vs. Appellants, Oliver Ames et al.

311. C. J. Smyth, Attorney General, et al., vs. Appellants, George Smith et al.

312. C. J. Smyth, Attorney General, et al., vs. Appellants, Henry L. Higginson et al.

The argument of these cases was continued by Mr. James C. Carter, of counsel for the appellees, and concluded by Mr. John L. Webster, of counsel for the appellants.

267. The Enterprise Mining Co., vs. Appellant, The Rico-Aspen Consolidated Mining Co., et al.

The argument of this cause was commenced by Mr. R. S. Morison of counsel for the appellees, and continued by Mr. Charles H. Toll, of counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation having been made the Court is opened.

272. Eloise L. Bergere et al. vs. Appellants, On motion of Mr. Matt G. Reynolds, of Counsel for the United States, it is ordered by the Court that these cases be substituted for case No. 272 in the roll of the docket.

The United States et al. vs. Appellants, Appeal from the Court of Private Land Claims.

271. Mariano S. Otero.

This cause having been called to the attention of the

appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed.

Per Mr. Chief Justice Fuller.

288. The Western Union Telegraph Company, Plff in Error, v. The State of North Carolina on relation of The Board of Railroad Commissioners of North Carolina and Robert C. Linvill. In Error to the Supreme Court of the State of North Carolina.

This cause having been called to the attention of the Court by Mr. J. Hubley Ashton, of counsel, for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

290. The Western Union Telegraph Company, Plff in Error, v. D. Kemp. In Error to the Supreme Court of the State of Nebraska.

the Court by Mr. J. Hubley Ashton, of counsel for the plaintiff in error, and the latter having moved the Court to dismiss the writ of error in this cause, Pursuant, in pursuance of said motion, It is now ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

267. The Enterprise Mining Co., Appellant, v. The Rio Grande Consolidated Mining Co., et al.

The argument of this cause was continued by Mr. Charles A. Toll, and Mr. Joel F. Vaile, of counsel for the appellant, and concluded by Mr. R. D. Morrison, of counsel for the appellees.

270. Lewis E. Emerson, Jr., Appellant, v. The United States.

The argument of this cause was continued by Mr. A. A. H. Smith, of counsel for the appellant, and concluded by Mr. Assistant Attorney General Dodge, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John Murray Mitchell, it is ordered that P. Tilleton Wells, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

270. Lewis E. Parsons, Jr., Appellant, v. The United States. Argument of this cause was continued by Mr. Assistant Attorney General Dodge, of counsel for the appellee, and concluded by Mr. L. T. Michener, of counsel for the appellant.

Friday, April 9th, 1875, Continued

971. Joel Parker Whitney et al, Appellants
vs.
The United States et al

This cause was argued by Mr. John H. Brodhead, of Counsel for the appellants, and Mr. Matt G. Reynolds, of Counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 10, 1892

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joshua Eric Dodge it is ordered that Lorenzo Semple, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert T. Hough it is ordered that Richard E. Sloan, Esquire, of Prescott, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Hoppner, State of Oregon, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nicholas it is ordered that Edward C. Howe, Esquire, of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John S. Blair it is ordered that Walter H. Flowers, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by A. S. Worthington it is ordered that Rodolphus Haughton, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. R. Whitney it is ordered that Louis B. Hasbrouck and Stephen C. Baldwin, Esquires of New York City, be admitted to practice as attorneys and counsellors of this Court and they

On motion first made to the Court in this behalf by Mr. Judson Harmon it is ordered that Henry J. Welch, Esquire, of Tiffin, State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John S. Sigmon it is ordered that William C. Robinson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States,
742. vs. Appellant, Appeal from the
The American Tobacco Company for the use of certain Insurance Companies. Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Peckham.

The First National Bank of Aberdeen,

38. vs. Plff in Err,

The County of Chehalis et al. Dft.

Error to the Supreme Court of the State of Washington

Collector of Taxes of said County.

This Cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this Cause be and the same is hereby affirmed with costs.

Per Mr. Justice Brown.

Dissenting:
Mr. Justice Harlan,
Mr. Justice Brewer,
Mr. Justice White.

The National Bank of Commerce of Seattle,

215. vs. Plff in Error,

The City of Seattle et al. Defts in Error.

In Error to the Supreme Court of the State of Washington.

Mr. This Cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by Counsel. On

and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Mr. Justice Shiras delivered the opinion of the Court.

Dissenting: Mr. Justice Harlan, Mr. Justice Brown and Mr. Justice White.

The Seattle National Bank of Seattle, Plff in Error, vs. The City of Seattle and John M. E. Atkinson, as Treasurer and ex officio Tax Collector of said City. } In Error to the Supreme Court of the State of Washington.

224.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Mr. Justice Shiras delivered the opinion of the Court.

Dissenting: Mr. Justice Harlan, Mr. Justice Brown and Mr. Justice White.

The Puget Sound National Bank of Seattle, Plff in Error, vs. The City of Seattle and John M. E. Atkinson, Treasurer and ex officio Tax Collector of said City. } In Error to the Supreme Court of the State of Washington.

225.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wash-

tion whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same, is hereby, affirmed with costs.

Per Mr. Justice Shiras,
Dissenting: Mr. Justice Harlan, Mr. Justice Brown and Mr. Justice White.

The Washington National Bank of Seattle, Plff in Error, vs. The County of King in the State of Washington and H. O. Mitten, as Treasurer and ex officio Tax Collector of said County. } In Error to the Supreme Court of the State of Washington.

No. 226.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Shiras,
Dissenting: Mr. Justice Harlan, Mr. Justice Brown and Mr. Justice White.

The American Publishing Company, Plff in Error, vs. A. Fisher and Aaron Keyser, copartners, doing business under the firm name of A. Fisher Brewing Company. } In Error to the Supreme Court of the Territory of Utah.

No. 242.

This cause came on to be heard on the transcript of

of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah for further proceedings.

(Per Mr. Justice Brewer.)

230. Robert A. Hunt and Hugh C. Hand, Plffs in Error, v. The United States. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Justice Gray.)

240. Morris L. Gladson, Plff in Error, v. The State of Minnesota. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State

consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the Circuit Court in this cause be and the same is hereby affirmed with costs.

(Per Mr. Justice Gray.)

(Mr. Justice Brewer did not hear the argument and took no part in the decision of this case.)

763. John Claflin as Executor of Horace B. Claflin, deceased, et al., Petitioners v. Theodore N. Tuttle, as Trustee in insolvency of Rockford City Company.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the arguments of counsel thereupon heard, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

461. The American Bell Telephone Company, Appellant, v. The Western Union Telegraph Company et al.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

tiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

E. H. Hubbard, Assignee &c.,
601. vs. Appellant,
J. Kennedy Tod et al.

The Sioux City, O'Neill & Western Railway Co.,
715. vs. Appellant,
The Manhattan Trust Co.

The Sioux City, O'Neill & Western Railway Co., et al.,
vs. Appellants,
719. The Manhattan Trust Co.

On consideration of the motion to advance these cases.

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The Bondholders & Purchasers of The Iron Railroad,
667. vs. Appellants,
The Toledo, Delphos & Burlington Railroad Company et al.

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in sup-

by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

672. The Omaha & Council Bluffs Railway & Bridge Company of Nebraska, and The Omaha & Council Bluffs Railway & Bridge Company, Plaintiffs in Error, vs. Peter Iverson Smith. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and on a motion to dismiss which was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

718. The Sioux City, O'Neill & Western Railway Co., Appellant, vs. The Manhattan Trust Co. On consideration of the petition for a writ of certiorari, herein to bring up the entire record in these cases for the argument

719. The Sioux City, O'Neill & Western Railway Co., et al., Appellants, vs. The Manhattan Trust Co., et al.

had, as well in support of as against the same.
It is now here ordered by the Court that said petition be, and the same is hereby denied.
(Per Mr. Chief Justice Fuller.)

769. Rudolph Deignel, Petitioner, v. Julius Strasheim et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
(Per Mr. Chief Justice Fuller.)

758. John H. Baker, Sheriff &c., App't, v. William Grice.
759. John H. Baker, Sheriff &c., App't, v. T. A. Austin.
760. John H. Baker, Sheriff &c., App't, v. H. E. Hawkins.
761. John H. Baker, Sheriff &c., App't, v. Silas M. Tinsley.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted and the cases assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.
(Per Mr. Chief Justice Fuller.)

Ex parte In the matter of Philip Stein, Petitioner. } On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of Counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of C. & A. Potts & Co., Petitioners. } The motion for leave to file a petition for a rehearing in the Circuit Court of the United States for the Southern District of Ohio in the case of C. & A. Potts & Co., vs. Frank A. Creegan et al., was submitted to the consideration of the Court on printed arguments by Mr. Edward Boyd and Mr. E. E. Wood, in support of the same, and Mr. Chester Bradford and Mr. E. W. Bradford, in opposition thereto.

No. 766. The Mutual Life Insurance Company of New York, Petitioner, vs. Nellie Phinney, Executrix. } The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on printed arguments by

and Mr. Robert Lowell, in support of the same, and Mr. A. Warburton and Mr. A. P. Rutledge, in opposition thereto.

873. The Boston Safe Deposit & Trust Company, Appellant, v. Grant Wilkins et al.

This cause was submitted to the consideration of the Court on the merits and on a motion to dismiss, without prejudice, on the record and printed arguments by Mr. Henry B. Tompkins, of counsel for the appellant, and Mr. H. J. May and Mr. L. H. Spilman, of counsel for the appellees.

720. Hugh Murphy, Appellant, v. The Colorado Mining Co. et al.

This cause was submitted to the consideration of the Court on the merits and on a motion to dismiss, by Mr. C. S. Thomas and Mr. H. H. Bryant, of counsel for the appellant, and Mr. James H. Brown, of counsel for the appellees.

721. The Bunker Central Sugar Refining Co. et al., Appellants, v. Jacob H. Payne et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Walter H. Saunders, Mr. J. D. Rose,

and Mr. Charles E. Fenner, of counsel for the Appellees.

255. Charles E. Hovey Junior &c, Pltffs in Error, vs. George Dill et al, Defts in Error. On motion of Mr. A. J. Worthington, of counsel for the plaintiffs in error leave is hereby granted him to file a printed Brief thereon on the question of jurisdiction on or before the 15th instant and to counsel for the defendants in error to file a reply thereto.

In the matter of Joseph P. N. Hall, Petitioner. This case was submitted to the consideration of the Court on a printed argument by Mr. Alvin Turrell, of counsel for the Petitioner.

774. Thomas Phillips Bryant, Appellant vs. The United States et al. Mr. Lorenzo Sawtelle, of Counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 9th 1893

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. J. D. Sayers it is ordered that Presley K. Ewing, Esquire, of Houston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. John Goode it is ordered that Samuel Williston, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. H. Gilpin it is ordered that Thomas N. Tongue, Esquire, of Hillsboro, State of Oregon, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Lindsay it is ordered that J. J. Clay and Malcolm Yeaman, Esquires, of Henderson, State of Kentucky, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis Smith it is ordered that Thomas F. Conway, Esquire, of Hillsbury, State of New York, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. H. MacFarland it is ordered that John F. Lewis, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mahlon Pitney it is ordered that John C. H. Pitney, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney

accordingly.

On motion first made to the Court in this behalf by Mr. Matt G. Reynolds it is ordered that John M. McLoud, Esquire, of South McAlester, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that J. Hull Hitchcock, Esquire, of Tecumseh, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. O'Bryan it is ordered that James H. Vroom, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William H. Moses, Harry C. Moses and Arthur C. Moses, Administrators of William B. Moses, deceased, Plaintiffs in Error, vs. The United States. } In Error to the Court of Appeals of the District of Columbia.

635

This cause came on to be heard on the transcript

of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed.

Per Mr. Justice Peckham.

The Washington & Georgetown Railroad Company and The Baltimore & Potomac Railroad Company, Plffs in Error, v. Margaret L. Hickey and John C. Hickey, her husband.

In Error to the Court of Appeals of the District of Columbia.

253

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Peckham.

Ex parte In the matter of Edward Eckart, Petitioner.

On consideration of the petition for a writ of habeas corpus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, & well in support of

16, Original.

the Court that the rule to show cause be discharged and said petition be, and the same is hereby, denied.

(per Mr. Justice White).

277. Herman Jadig, Joseph Wolberg, and Joseph Marks, Copartners, under the firm-name of Jadig, Wolberg & Co., Plffs in Error, v. Ida B. Baldwin. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(per Mr. Justice White.

255. The Electric Company, Plff in Error; v. Joseph A. Dow, Administrator of Samuel J. Dow, deceased. In Error to the Supreme Court of the State of New Hampshire.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New Hampshire, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error

Thursday April 15th, 1897. Continued

Motion for the want of jurisdiction
Per Mr. Justice Brewer.

127. Frederick L. Duncan, Appellant, vs. Charles B. Duncan. Appeal from the Court of Appeals of the District of Columbia.

Mr. Chauncey Smith for the motion. Mr. Wm. A. Maury opposing.

Per Curiam. Upon the transcript of the record from the Court of Appeals of the District of Columbia, and upon motion of counsel for appellee that the appeal herein be dismissed for the want of jurisdiction, and upon consideration whereof, it is ordered, adjudged and decreed by this Court that the appeal herein be, and the same is hereby, dismissed with costs.

Per Mr. Justice Shiras.

Dill. The City Railway Company, Appellant, vs. The Citizens' Street Railroad Company. Appeal from the Circuit Court of the United States for the District of Indiana.

Mr. Thomas Taggart for the motion. Mr. Lucien Wulsin opposing.

Per Curiam. Upon the transcript of the record from the Circuit Court of the United States for the District of Indiana, and upon motion of counsel, it is considered that the decree of the said Circuit Court in this cause be modified by striking out from the second paragraph the words "without regard to any limitation of time mentioned in any

former, and, as so modified, be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brown.)

2540 Ex parte In the matter of James Lennon, Appellant, On mot. Petition to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Ohio.

(Per Mr. Justice Brown.)

252. Alonzo H. Allen vs. Andrew J. Cillp In Error to the Court of Common Pleas No. 4, for the County of Philadelphia, State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Court of Common Pleas No. 4, for the County of Philadelphia, State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudg-

Court of Common Pleas in this cause be, and the same is hereby affirmed with costs.

Mr. Justice Brown

250. Edwin D. Carter, Appellant, vs. Rollin Sears, Charles Ruddy, Charles Robbins, Michael McMurray et al. } On Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Utah.

Mr. Justice Brown

615. Caroline M. Forsyth, Appellant, vs. The City of Hannibal. } On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit and was ar-

It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Indiana with directions to sustain the demurrer to the bill and dismiss the suit.

Per Mr. Justice Brewer.

221. The F. G. Oxley Stave Company and F. G. Oxley, Plffs in Error, vs. The County of Butler, The St. Louis, Iron Mountain & Southern Railway Company and The St. Francis Lumber Company. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan.

65. John N. Whitney, Appellant
vs.
Moylan C. Fox, Surviving Executor of the last will and testament of Joab Lawrence, deceased.

Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr Justice Harlan

56. William H. Hood, Appellant
vs.
Moylan C. Fox, Surviving Executor of the last will and testament of Joab Lawrence, deceased.

Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be,

that this cause be, and the same is hereby remanded to the Supreme Court of the State of Utah.

(Per Mr. Justice Harlan)

The United States,
vs. Appellant,
Clarence R. Gearhouse.

234. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

(Per Mr. Justice Harlan)

The Northern Pacific Railroad Company,
vs. In Error,
Junius G. Sanders, Hilbun C. Sanders, James N. Sanders and Angelia M. Sanders.

12. In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court

affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Montana.

Per Mr. Justice Harlan

No. 246. The Texas & Pacific Railway Company, Plff in Error, vs. Henry D. Cody. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Northern District of Texas.

Per Mr. Chief Justice Fuller

No. The Texas & Pacific Railway Company, Plff in Error, vs. William K. Barrett. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of

Monday, April 17th, 1893. Continued.

Appeals for the Fifth Circuit, and was argued by Counsel. On consideration whereof it is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with cost, and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Texas.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of Everton R. Chapman, Petitioner. On consideration of the petition for writs of Habeas Corpus and Certiorari herein, and of the return to the rule to show cause, and of the argument of Counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

11 Original.

Per Mr. Chief Justice Fuller.

Everton A. Chapman, Petitioner, v. The United States. On petition for a writ of certiorari to the Court of Appeals of the District of Columbia.

744.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of Counsel in support of the same, It is now here ordered by

hereby denied.

(Per Mr. Chief Justice Fuller.)

766. The Mutual Life Insurance Company of New York, Petitioner, vs. Nellie Phinney, Executrix of Guy C. Phinney, deceased. On petition for certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(Per Mr. Chief Justice Fuller.)

774. Thomas Phillips Dugan, Appellant, vs. The United States et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the 30th instant.

(Per Mr. Chief Justice Fuller.)

790. Hugh Murphy, Appellant, vs. The Colorado Mining Company, U.S. Dinah Lode, Lode or Lode, Lampson, Copartners, under the firm name and style of F.O. Blake & Company, et al. Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

786. Charles H. Nordeleon, Appellant, vs. William N. Moyer, Sheriff of King County, and The State of Washington.

This matter coming on to be heard upon the application of the appellant, and it appearing that the said appellant is in the custody of William N. Moyer, Sheriff of the County of King, State of Washington, under sentence of death, the warrant commanding such sentence to be executed on the 23d day of April next, and that on the 31st day of March, 1892 he filed his petition in the Circuit Court of the United States for the District of Washington praying for a writ of habeas corpus and that he be thereunder discharged from such custody and sentence,

which application, after due consideration by said Court, was denied, and that thereupon the said appellant has prayed from said denial to this Court, which said appeal was allowed by the Judge of said Circuit Court; and it being further represented that there is danger that William N. Meyer, Sheriff of King County will, notwithstanding such appeal, proceed with the execution of the sentence and hang said appellant on the day and date named in the warrant,

It is therefore ordered that all proceedings against the appellant, Charles W. Nordstrom be now stayed, and that the State of Washington through its agents or officers, particularly through William N. Meyer, Sheriff of King County, stay all proceedings of execution against the appellant, Charles W. Nordstrom, pending the appeal of the said habeas corpus proceedings to this Court from the Circuit Court of the United States and that the custody of the said Charles W. Nordstrom be in no wise disturbed, nor any proceedings be taken or had against him, until the said appeal shall have been heard and determined and final judgment entered therein by this Court.

Per Mr. Chief Justice Fuller.

746. Joseph A. Paige, Appellant, vs. John E. Henderson, Warden &c. On motion of Mr. J. E. Dodge, in behalf of counsel for the appellee

Monday, April 19th, 1897. Continued.

leave is hereby granted the Clerk to issue the mandate in this cause.

653. The Henderson Bridge Co., et al., vs. The City of Henderson. (Affs in Error, and) The motion to dismiss in these cases was submitted to the consideration of the Court on the record in No. 654 and printed arguments by Mr. J. F. Clay, in support of the same, and Mr. William Lindsay, Mr. Malcolm Yeaman, and Mr. N. C. Bruce, in opposition thereto.

654. The Henderson Bridge Co., et al., vs. The City of Henderson. (Affs in Error,)

742. The United States, Appellant, vs. The American Tobacco Co. On motion of Mr. John B. Cotton, of counsel, for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

331. The Michigan Land & Lumber Co., Limited, vs. Charles A. Auer, Survivor &c. (Aff in Error,) On motion of Mr. A. B. Browne, in behalf of counsel, it is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

National Foundry & Pipe Works, Limited, et al,
No. 795. Petitioners,
vs.
I. D. Andrews et al.

National Foundry & Pipe Works, Limited, et al.
No. 796. Petitioners,
vs.
The City of Oconto

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the consideration of the Court on printed arguments by Mr. George A. Noyes, in support of the same, and Mr. W. H. Webster, in opposition thereto.

The Houston & Texas Central Railroad Company,
No. 685. Plff in Error,
vs.
Martin Mugenauski, et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Presley K. Ewing and Mr. Henry T. King, in support of the same, and Mr. Maxwell Evarts and Mr. R. S. Lovett, in opposition thereto.

The Newark Electric Light & Power Company,
No. 782. Petitioner,
vs.
Henry M. Gardner, Admr.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit was submitted to the consideration of the Court on printed arguments by Mr. John

of the same, and Mr. Henry M. Garden, in propria persona, in opposition thereto.

279. Eloisa L. Bergere, for herself and others, vs. Appellant, The United States et al.

299. The United States, vs. Appellant, Eloisa L. Bergere, for herself and others.

The argument of these cases was commenced by Mr. D. D. O'Regan, of counsel for Bergere, continued by Mr. Matt G. Reynolds, of counsel for The United States, and concluded by Mr. J. W. Vroom, of counsel for Bergere.

Leave was granted Mr. Reynolds to file a supplemental brief herein and to Mr. T. B. Catron, of counsel for Bergere, to file a reply thereto on or before the 20th instant.

273. Benton Turner, vs. Atty in Error, The People of the State of New York.

The argument of this cause was commenced by Mr. Frank E. Smith, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. H. MacFarland it is ordered that Frederic J. Swift, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George F. Hoar it is ordered that Horace G. Allen, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Tuesday, April 10th, [illegible]

273. Benton Tuane, Plff in Error, vs. The People of the State of New York. The argument of this cause was continued by Mr. Frank E. Smith, of counsel for the plaintiff in error, and Mr. Theodore E. Hancock and Mr. William N. Dennis, of counsel for the defendants in error, and concluded by Mr. Frank E. Smith, of counsel for the plaintiff in error.

276. The Mayor, Aldermen and Commonalty of the City of New York, et al., Appellants, vs. Robert H. Hardman. This cause was argued by Mr. Harrington Putnam, of counsel for the appellee, and Mr. Francis M. Scott, of counsel for the appellants.

278. Daniel A. Camfield et al., Appellants, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James H. McCamy and Mr. C. W. Bunn, of counsel for the appellants, and Mr. Solicitor General Conrad, of counsel for the appellee.

280. The London Assurance, Appellant,
vs.
Companhia De Mocambique, Respondents.

Appellant

The argument of this Cause was Commenced by Mr. Serjt. Wilde. Mr. Harland, of Counsel for the

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, April 21st, 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

291. Elverton R. Chapman, Plaintiff in Error, v. The United States. Appeal from and Writ of Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and the appellant and plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute his appeal and writ of error, and failing to appear it is, thereupon, in pursuance of the 16th Rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal and the writ of error in this cause be, and the same are hereby dis-

hereby remanded to the said Court of Appeals to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

280. The London Assurance, Appellant, vs. Companhia de Moagens do Barreto. The argument of this cause was continued by Mr. H. H. MacFarland, of counsel for the appellant, and Mr. John G. Lewis, of counsel for the appellee, and concluded by Mr. H. H. MacFarland, of counsel for the appellant.

202. The Twin City National Bank of New Brighton vs. Jeff in Error, Eber A. Nichols. The argument of these cases was commenced by Mr. S. J. Crawford, of counsel for the plaintiffs in error. The Court directed to hear further

203. The Lumberman's National Bank of Williamsport vs. Jeff in Error, James N. Heaton, argument.

281. Brooke Mackall, Appt, vs. Isaac Hillsboby.

274. Brooke Mackall, Appt vs. Isaac Kalmbach.

The argument of these cases was commenced by Mr. A. E. Davis, of counsel for the appellant.

Further time being granted the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that A. B. Kittredge, Esquire, of Sioux Falls, and Wilbur S. Glass, Esquire, of Watertown, State of South Dakota, be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. Blanch K. Miller it is ordered that Charles Fox, Esquire, of New York City, and William Hines Hall, Esquire, of New Orleans, State of Louisiana, be admitted to practice as attorneys

Accordingly—

234. The United States, Appellant, vs. Clarence R. Tomlinson— On motion of M. John C. Fay, of Counsel for the Appellee, leave is hereby granted the Clerk to issue the mandate in this Cause—

247. Lafayette Hudson, Plff in Error, vs. The United States— In Error to the District Court of the United States for the Western District of Arkansas—

This Cause having been called for hearing in its regular turn, and it appearing to the Court that the parties have failed to print the transcript of the record, & this therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby dismissed per M. Chief Justice Fuller—

385. The Fitzgerald & Mallory Construction Company, Plff in Error, vs. Mary Fitzgerald, Administratrix of the Estate of John Fitzgerald, deceased— In Error to the Supreme Court of the State of Nebraska—

It appearing to the Court that a motion by Counsel for the plaintiff in error to dismiss the

for, in pursuance of said motion. It is now, here ordered and adjudged by this Court that the writ of error in this cause be, and the same, is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

281. Brooke Mackall, App't, vs. Hezel Millenghby.
274. Brooke Mackall, App't, vs. Hezel Millenghby.

The argument of these causes was continued by Mr. H. E. Davis, of counsel for the appellant, and Mr. A. A. Birney, of counsel for the appellee, and concluded by Mr. H. E. Davis, of counsel for the appellant.

282. John D. Warner, Appellant; vs. The City of New Orleans.

The argument of this cause was commenced by Mr. William Grant, of counsel for the appellant, continued by Mr. Branch K. Miller, of counsel for the appellee, and concluded by Mr. Wheeler H. Peckham, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. E. B. Whitney it is ordered that William Edmond Curtis, Esquire, of New York City, and Edward L. Strong, Esquire, of Ogdensburg, State of New York be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

285. The Penn Mutual Life Insurance Company et al., Appellants, v. The City of Austin et al. Reargument of this cause was commenced by Mr. D. P. Watson, of counsel for the

Counsel for the appellees, and concluded by Mr. Skipwith Wilmer, of counsel for the appellants.

286. Josephine M. Shipperman, Appellant, vs. The Steamship Cuidad Bolivar. The argument of this cause was commenced by Mr. Harrington Putnam, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Marcus P. Hun, Esquire, of Albany, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Tongue it is ordered that Milton W. Smith, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

by Mr. E. B. Whitney it is ordered that Dwight M. Lowrey and Henry P. Ingham, Esquires, of Philadelphia, and John P. Elkin, Esquire, of Indiana, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Anthony Pollok it is ordered that F. K. Pendleton, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Duane E. Fox it is ordered that William F. Goldbeck, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Mayor and City Council of Baltimore,		Appeal from the Circuit Court of the United States for the District of Maryland.
309.	vs. Appellant,	
The Baltimore Trust and Guarantee Company, Trustee.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court

cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is, hereby, remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Grier.

233. George H. Sentell, Jr. Plff in Error
v.
The New Orleans & Carrollton Railroad Company

In Error to the Court of Appeals for the Parish of Orleans, State of Louisiana.

This cause came on to be heard on the transcript of the record from the Court of Appeals for the Parish of Orleans, State of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Grier.

216. The Long Island Water Supply Company, Plff in Error,
v.
The City of Brooklyn

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by Counsel. On

and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

(Per Mr. Justice Brewer.

(Mr. Justice Peckham took no part in the decision of this case.)

163. Springville City, Plff in Error, vs. Perry A. Thomas and Lovinia Thomas. In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah for further proceedings.

(Per Mr. Chief Justice Fuller.

153. The Salt Lake City Brewing Company, Plff in Error, vs. The Fred H. Wolf Company. In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of

of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, Reversed with Costs; And that this cause be, and the same is hereby remanded to the Supreme Court of the State of Utah for further proceedings.

Per Mr. Chief Justice Fuller

Salt Lake City — In Error to the Supreme Court of the
No. 149. Elizabeth B. Tucker and Samuel J. Tucker. Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah for further proceedings.

Per Mr. Chief Justice Fuller

The Louisville & Nashville Railroad Company, Plff in Error,
vs.
The City of Louisville, } In Error to the Court of Appeals of the State of Kentucky.

261.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof It is now here ordered, and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of C. & A. Potts & Co., Petitioner.

12, Original.

On consideration of the motion for leave, to file a petition for rehearing in the Circuit Court of the United States for the Southern District of Ohio in the case of C. & A. Potts & Co., vs. Frank F. Creager et al., and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

The Henderson Bridge Co., et al., Plffs in Error,
vs.
The City of Henderson.

653.

It is ordered by the Court that the further consideration

684. The Henderson Bridge Co. et al, vs. Piff in Error, The City of Henderson. } to dismiss in these cases be and the same is hereby postponed until the hearing of the cases on their merits.

Per M. Chief Justice Fuller.

685. The Henderson Bridge Company vs. Piff in Error, Martin Stuyvesant et al. } It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this case be, and the same is hereby postponed until the hearing of the case on its merits.

Per M. Chief Justice Fuller.

725. National Foundry & Pipe Works, Limited, et al. vs. Petitioners, S. D. Andrews, H. N. Whitcomb et al. } In a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

National Foundry & Pipe Works, Limited, et al, Petitioners, vs. The City of Oconto.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of Counsel thereupon had, as well in sup-

ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

780. The Nevada Electric Light and Power Company, Petitioner, vs. Henry M. Gordon, Administrator of James A. Mason, deceased. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Order.

The Chief Justice announced that the call of the docket will be suspended on the 30th instant, when the Court will take a recess until Monday, May 14th, and that the Court will adjourn for the term on Monday, May 21st next.

794. The United States, Petitioners, vs. The Roessler & Hasslacher Chemical Company. The petition for a writ of Certiorari herein to the United States Circuit

Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Conrad and Mr. Assistant Attorney General Whitney, in support of the same, and Mr. Albert Comstock in opposition thereto.

570. S. N. Williams, Treasurer &c., vs. Ely in Error, Arthur F. Eggleston, Attorney for the State of Connecticut. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Lewis Sperry, in support of the same, and Mr. John R. Buck and Mr. Lewis E. Stanton, in opposition thereto.

571. The Steam Tug "Titan" &c., John N. Slavin, Claimant, vs. Petitioner, Marion C. Leggett, Admr. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Henry H. Goodrich, in support of the same, and Mr. Henry G. Ward, in opposition thereto.

573. Einstein, Holt & Co., vs. Petitioners, The petition for a writ of certiorari herein to

Court of Appeals for the Second Circuit on a printed argument by Mr. H. Needham Smith, Mr. Charles Curie, and Mr. David Ives Mackie, in support of the same.

790. The National Machine Co., Petitioner, vs. The Wheeler & Wilson Manufacturing Company. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Edwin A. Brown, in support of the same, and Mr. Livingston Gifford, in opposition thereto.

13, Original. Ex parte In the matter of Charles Johnson, Petitioner. This case was submitted to the consideration of the Court on printed arguments by Mr. John J. Weed, of counsel for the petitioner, and Mr. Solicitor General Conrad, of counsel for the respondent.

778. The Barrow Steamship Co., Plff in Error, vs. Michael Kane. Mr. F. K. Pendleton, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause, and a suggestion in relation thereto was submitted by Mr. Rex Brown and Mr. Flemington

The Anglo-Californian Bank, Limited, Petitioner, vs. The Secretary of the Treasury. 704. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on a printed argument by Mr. J. F. Evans, in support of the same, with leave to Mr. Attorney General to file a brief in opposition thereto on or before Thursday next.

The Agricultural Ditch Co., vs. Tiffin Bros. The Farmers' Independent Ditch Company. 613. The motion to dismiss in this cause was submitted, to the consideration of the Court on the record and a printed argument by Mr. C. S. Thomas and Mr. W. H. Bryan, in support of the same.

Margaret A. Muse et al., vs. Tiffin Bros. The Arlington Hotel Co. 341. Mr. James L. Pugh, Jr., of counsel for the plaintiffs in error, moved the Court to continue this cause until the next term, which was opposed by Mr. G. B. Rose, of counsel for the defendant in error. Whereupon, It is now here ordered by the Court that this cause be, and the same is hereby, continued until the next term.

286. Josephine H. Hupperman, Appellant, vs. The Steamship "Caribbean Prince" &c. The argument of this cause was continued by Mr. Harrington Putnam, of counsel for the appellant, and Mr. J. Parker Kirlin, of counsel for the appellee, and concluded by Mr. Harrington Putnam, of counsel for the appellant.

287. Augustus P. Hapleigh, Plaintiff in Error, vs. The City of San Angelo. This cause was submitted to the consideration of the Court on the record, and a printed argument by Mr. L. K. Stinker, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

294. Thomas Phillips Bryant, Appellant, vs. The United States et al. This cause was argued by Mr. Lorenzo Semple, of counsel for the appellant, and Mr. Charles Fox, of counsel for the appellees.

294. N. M. Levy, Plaintiff in Error, vs. The Superior Court of the City and County of San Francisco, Department 9, &c. This cause was argued by Mr. William H. Mauzy, of counsel for the plaintiff in error. No brief was filed by

E. J. Peck and Leo Simmons,
Plaintiffs,
vs.
1897. Plaffin Bros.,
Christian Hedrick,
Plaintiffs in error.

The argument of this cause was commenced by Mr. F. N. Mackey of counsel for the

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Zach Spearing it is ordered that T. N. Morse and Richard H. Lea, Esquires, of New Orleans, State of Louisiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Patrick it is ordered that Talbot D. Cree, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Alexander Lazard, Simon Lazard, Eli Lazard, David Cohn, Eugene Arnstein, Surviving Copartners, trading as Lazard Freres,
305. vs. Writ in Error,
The Merchants & Miners Transportation Company.

Dismissed, cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

The State of Missouri ex rel.
The Laclede Gas Light Co.,
306. vs. Writ in Error
Michael S. Murphy, Auditor, Commissioner &c.

Ordered by the Court that this cause be, and the same is, hereby continued until the next term.

The Texas & Pacific Railway Co.,
298. vs. Writ in Error,
Abner S. Gay et al.

Record and printed arguments by Mr. John S.

Counsel for the plaintiffs in error, and Mr. H. Mallett Phillips, of counsel for the defendants in error.

784. E. J. Peck and Leo Simmons, Trustees, vs. Plaintiffs in Error, Christian Heinrich. The argument of this cause was continued by Mr. F. H. Mackay, of counsel for the plaintiffs in error, and Mr. Leon Tobriner and Mr. W. F. Mellinghe, of counsel for the defendant in error, and concluded by Mr. A. A. Birney, of counsel for the plaintiffs in error.

785. The Northern Pacific Railroad Co. et al., vs. Plaintiffs in Error, Narcisse Poirier. The argument of this cause was commenced by Mr. C. W. Bunn, of counsel for the plaintiffs in error, and continued by Mr. S. C. Hyde, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney Clerk

Proclamation being made, the Court is opened

308. Franz Huning, Appellant, vs. The United States. Appeal from the Court of Private Land Claims

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this Appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

Peter Menotti
294. vs. Jeff in Error,
Kate May Dillon et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. F. Leib of counsel for the plaintiff in error and Mr. A. L. Rhodes, of Counsel for the defendants in error.

The Northern Pacific Railroad Co., et al.
295. vs. Jeff in Error,
Narcisse Poirier.

The argument of this cause was continued by Mr. A. C. Hyde, of Counsel for the defendant in error, and concluded by Mr. C. W. Bunn, of Counsel for the plaintiff in error.

Robert M. Yardley, Receiver &c.
296. vs. Appellant,
George Miller, President &c.

The argument of this cause was commenced by Mr. H. B. Gill, of Counsel for the appellant, continued by Mr. H. J. Friedley and Mr. John G. Johnson, of Counsel for the appellee, and concluded by Mr. L. H. Pelletz, of Counsel for the appellant.

The Merchants & Manufacturers' National Bank of Pittsburgh, Pa.,
301. vs. Jeff in Error,
The Commonwealth of Pennsylvania.

The argument of this cause was commenced by Mr. J. M. Arbon, of Coun-

Wednesday, April 28th, 1897. Continued

Gilmore, and Continued by Mr. J. P. Elkin, of
Lelyn the defendant in case.

(Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.)

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Joshua Eric Dodge it is ordered that Henry F. Durand, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Faulkner it is ordered that W. S. Laidley, Esquire, of Charleston, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

307. Rafael Maria Del Castillo, Plaintiff in Error, vs. Ordered by the Court that the cause be,

hereby continued until the next term, by stipulation of counsel.

335. Mary A. Kilkenny Adl., Plff in Error, vs. The United States. On motion of Mr. Assistant Attorney General Dodge, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

336. The United States, Appellant, vs. John A. Kennedy. On motion of Mr. Assistant Attorney General Dodge, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

700. The United States, Appellant, vs. Edgar M. Wilson, Admr. On motion of Mr. Assistant Attorney General Dodge, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Ex parte In the matter of John Gibson, Petitioner. Mr. E. M. Newbolt submitted to the consideration of the Court a petition for the allowance of a writ of error herein.

332. The Henderson Bridge Co., Plff in Error, vs. The Commonwealth of Kentucky. On Error to the Court of Appeals of the State of Kentucky.

regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

301. The Mercantile & Manufacturers' National Bank of Pittsburgh, Pa. vs. Riffin Exor. The Commonwealth of Pennsylvania. The argument of this cause was continued by Mr. J. P. Elkin, of counsel for the defendant in error, and concluded by Mr. J. M. Wilson, of counsel for the plaintiff in error.

302. Edward M. Willis et al., vs. Riffs in Error, The Eastern Trust & Banking Company. The argument of this cause was commenced by Mr. H. G. Johnson, of counsel for the plaintiffs in error, continued by Mr. B. F. Leighton, of counsel for the defendant in error, and concluded by Mr. Calderon Carlisle, of counsel for the plaintiffs in error.

313. Peter Defer, vs. Riff in Error. Ordered by the Court that this cause be, and the

until the next term.

342. Robert L. Reaves, Plff in Error, vs. James E. Oliver. On motion of Mr. T. B. Crosthwaite, of counsel for the plaintiff in error and appellant, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

347. The Southern Express Co., Plff in Error, vs. The Commonwealth of Virginia at the relation of John Buford.

348. The Southern Express Co., Plff in Error, vs. The Commonwealth of Virginia at the relation of Edward Poulton.

349. The Southern Express Co., Plff in Error, vs. The Commonwealth of Virginia at the relation of M. C. McCann.

350. The Southern Express Co., Plff in Error, vs. The Commonwealth of Virginia at the relation of J. H. McConnell.

351. The Southern Express Co., Plff in Error, vs. The Commonwealth of Virginia at the relation of James A. Hudson.

Ordered by the Court that these causes be, and they are hereby, continued until the next t[illegible]

303 G. G. Latta, Executor &c, dec'd. Appellants. vs. Vina Granger

This cause was argued by Mr. S. P. Rose, of Counsel for the appellants, and Mr. John McClure, of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 26th 1907.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

Ex parte In the matter of John Gibson, (Petitioner.)

On consideration of the petition for a writ of ... thereon, it is ordered by the Court that said petition be, and the same is, hereby, denied.

Per Mr. Chief Justice Fuller.

570 S. N. Williams, Treasurer &c., vs. Fifth Street Arthur F. Eggleston, Attorney for the State of Connecticut.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm herein be, and the same is hereby, postponed until

613. The Agricultural Ditch Company, Plff in Error, vs. The Farmers Independent Ditch Company. — In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Chief Justice Fuller.)

764. The Anglo-Californian Bank Limited, Petitioner, vs. The Secretary of the Treasury. — On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

(Per Mr. Chief Justice Fuller.)

778. The Barrow Steamship Co., Plff in Error, vs. Michael Kane. — On consideration of the motion to advance this cause, It is now here,

that said motion be, and the same is hereby, gran-
ted, and the case assigned for argument on the
second Monday of the next term after the one
heretofore assigned for that day, and one hour
allowed counsel on each side for the argument.

Per Mr. Chief Justice Waite.

The Steam Tug "Titan" and the Steamboat "Thomas Hunt" vs. John A. Stetson, Claimant, Petitioner, vs. Marion E. Leggett et al, Administrators of William E. Leggett et al

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by this Court that said petition be, and the same is, hereby, denied.

Per Mr. Chief Justice Waite.

The National Machine Company, Petitioner, vs. The Wheeler & Wilson Manufacturing Company

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court

gument of Counsel thereupon had, as well in support of & against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

793. Einstein, Wolff & Co., Petitioners, vs. The United States. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

794. The United States, Petitioner, vs. The Roessler and Haseslacher Chemical Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of & against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

353. The Canton Insurance Co. Limited, et al., Appellants, vs. John Mac Intyre, Jr., et al.

354. John Mac Intyre, Jr., et al., Appellants, vs. The Canton Insurance Co. Limited, et al.

355. Sea Cunley et al., Plffs in Error, vs. Roland G. Elakeslee et al.

356. The Savings & Loan Society, Appellant, vs. Multnomah County, Oregon, et al.

357. Louis B. Adams et al., Appellants, vs. Miriam N. Henderson et al.

358. J. W. Bull, Appellant, vs. Charles E. Beckemeyer et al.

Ordered by the Court that these cases be, and they are hereby, continued until the next term.

359. Joseph N. Gowdy, Appellant, vs. W. Briggs Gowdy, Appeal from the Circuit Court of the United States for the District of South [illegible]

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 16th Rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

The Chicago, Milwaukee & St. Paul Railway Company
364. vs. Affirmed
Patrick L. Sobieski

It is ordered by the Court that these causes be, and they are hereby continued until the next te

Louise J. Purdy et al.,
365. vs. Appellants
The United States.

Thomas P. Beal, Receiver &c.,
366. vs. Affirmed
The Essex Savings Bank.

On motion of Mr. Henry Wheeler, of counsel for the plaintiff in error

It is ordered by the Court that this cause be, and the same is hereby continued until the next term.

George P. Belmore et al.,
367. vs. Affirmed
David Rymer et al.

It is ordered by the Court that the cause be and the same is hereby continued until the next term.

Proclamation being made the Court is adjourned until Monday, May 10th next at ten o'clock A.M.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Thomas H. Hubbard it is ordered that Alpheus T. Bulkley, Esquire, of Albany, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that David D. Stewart, Esquire, of St. Albans, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

by Mr. Solicitor General Conant it is ordered that Eli B. Filsinkel, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley L. Hunt it is ordered that J. H. N. Whitestone, Esquire, of Provo City, State of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that George H. Manley, Esquire, of Lebanon, and Robert E. Dunn, Esquire, of Wilmington, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Ex parte In the matter of Joseph P. N. Hall, Petitioner. On consideration of the petition for a writ of mandamus herein, the return to the rule to show cause, and the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

17, Original.

Per Mr. Justice Peckham.

250. The London Assurance, Appellant
vs.
Companhia de Moagens do Barreiro.

Error to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause, be, and the same is hereby, affirmed with costs. And that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania.

(Per Mr. Justice Peckham.)

59. R. L. Walker and James McMurray, Charles Howard and A. L. Partridge, vs. E. Collins and H. A. Butch, partners as Collins & Butch.

In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the said United

cuit Court of the United States for the District of Kansas in this cause be, and the same are hereby reversed, all the costs from the time of the removal of the cause from the State Court to be paid by the plaintiffs in error; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand the cause to the District Court of Harvey County, Kansas.

Per Mr. Justice White.

Dissenting:
Mr. Justice Harlan.

229. William F. Davis, Plff in Error, vs. The Commonwealth of Massachusetts. In Error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice White.

268. A. G. Cross and George A. Eddy, Receivers of The Missouri, Kansas & Texas Railway Co. of Texas, vs. Effie Ellen Sever, J. M. Sever.

On certificate from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that said certificate be, and the same is hereby, dismissed. Whereupon it is further ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Gray.

Dissenting:
Mr. Justice Brown.

(Mr. Justice Brewer not having heard the argument took no part in the decision of this case.)

211. The Spokane Falls & Northern Railway Company, vs. William A. Ziegler.

In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued

now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be and the same is hereby affirmed with costs; And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Washington.

per Mr. Justice Shiras.

The Northern Pacific Railroad Company and Thomas F. Oakes, Henry C. Payne and Henry C. Rouse, Receivers of The Northern Pacific Railroad Company, Plffs in Error, vs. Nancissee Ferrier.

In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

295.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the said United States Circuit Court of Appeals and the Circuit Court of the United States for the District of Washington in this cause be, and the same are hereby, reversed with costs; And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and award a new trial.

311. James Compton, Appellant, vs. James R. Jeup et al. Appellees. } On certificate from the United States Circuit Court for the Sixth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court for the Sixth Circuit, and was argued by counsel.

On consideration whereof, It is the opinion of this Court:

1st. That the decree of sale of March 23, 1895, herein upon Condition, in event that his claim shall not be paid by the purchaser, the right to a decree of resale of the property situated in Ohio and covered and affected by his lien.

2d. That, in event of such sale, and in distribution of the proceeds thereof, Compton will be entitled to an account of the net earnings of the division over and above all operating expenses, taxes paid, and cash paid, if any, in redemption of receiver's Certificates and other expenses properly chargeable against the division, which net earnings should be deducted from the amount due on the two prior Mortgages on said division.

3d. That the decree rendered in the Circuit Court of the United States for the District of Illinois is not res judicata upon the foregoing questions.

Whereupon, It is now here ordered by this Court that it be so certified to the said United States

The Wabash Railroad Company, vs. The City of Defiance. 739. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown.

Ex parte. In the matter of Charles Johnson; Petitioner. 13 Original. On consideration of the petition for a writ of habeas corpus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Brown.

Thomas Phillips Bryant, Appellant, vs. The United States. 779. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript

States for the Southern District of New York, and, were argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause and the decree therein be, and the same is hereby, affirmed.

Per Mr. Justice Brown.

No. 11. David F. Campbell, Appellant, vs. Alfred A. Flat, by John A. Flat, his guardian. In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Justice Brown.

No. 7. The Enterprise Mining Company, Appellant, vs. The Rico-Aspen Consolidated Mining Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of

by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Massachusetts.

Per Mr. Justice Brown.

The United States, Appellant, vs. The American Bell Telephone Company et al. Appeal from the United States Circuit Court of Appeals for the First Circuit.

344.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Massachusetts.

Per Mr. Justice Brown.

Dissenting:
Mr. Justice Harlan.

(Mr. Justice Gray and Mr. Justice Brown were not present at the argument and took

631. Charles N. Bowman, John H. Jolley, Charles G. Shoemaker, Annie H. Bingham, Edmund N. Woodruff, Herbert A. Kimball, James H. Hensley and Frank B. Noyes, Appellants, vs. John H. Ross, George Truesdell and Charles F. Powell, Commissioners of the District of Columbia. Appeals from the Court of Appeals of the District of Columbia.

632. John H. Ross, George Truesdell and Charles F. Powell, Commissioners of the District of Columbia, Appellants, vs. Charles N. Bowman, John H. Jolley, Charles G. Shoemaker, Annie H. Bingham, Edmund N. Woodruff, Herbert A. Kimball, James H. Hensley, and Frank B. Noyes.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decrees of the said Court of Appeals and of the Supreme Court of the District of Columbia in this cause be, and the same are hereby reversed, costs in this Court to be paid by the appellants in No. 631 and the appellees in No. 632; and that this cause be, and the same is hereby remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Butler F. Ames,
633. vs. Appellant,
John W. Ross et al, Commissioners
of the District of Columbia.
John W. Ross et al, Commissioners
of the District of Columbia,
634. vs. Appellants,
Charles A. Ames, Mary B. Ames,
Frank L. Averill, Butler F. Ames et al.

Appeals from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decrees of the said Court of Appeals and of the Supreme Court of the District of Columbia in this cause be, and the same are hereby, reversed with costs in this Court to be paid by the appellant in No. 633 and appellees in No. 634; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Mr. Justice Gray.

William May, Trustee of John Frederick May, deceased, and in his own right, and Ann Maria his wife, Appellants, vs. Sarah Maria May, Alice Baron Webb and J. Baron Webb, her husband, Edith Tyrell Randolph et al. Appellees. } Appeal from the Court of Appeals of the District of Columbia.

No. 224.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Day.

J. E. Tindal and J. K. Boyles, Appellants, vs. William Cross, Edward B. Wesley. } On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

No. 231.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs. And that this cause be, and the same is hereby, re-

for the District of South Carolina.
Per Mr. Justice Harlan.

265. John A. Stone, Plff in Error, vs. The United States. In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Washington.

Per Mr. Justice Harlan.

272. The Twin City National Bank of Red Brighton, Plff in Error, vs. Enos A. Nebeker. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment

and the same is hereby affirmed with costs.

Mr. Justice Harlan

223. The Lumberman's National Bank of Williamsport, Plff in Error, v. James N. Hilton. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Mr. Justice Shiras

294. A. M. Levy, Plff in Error, v. The Superior Court of the City and County of San Francisco, Department 9 thereof, Honorable J. V. Coffey, Judge. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the

hereby, dismissed for the want of jurisdiction.
Per Mr. Justice Harlan.

782. Josephine H. Hazlepreen, Appellant, vs. The Steamship Ariel Pamero. It is ordered by the Court that this cause be, and the same, is hereby, restored to the docket for reargument before a full bench.
Per Mr. Chief Justice Fuller.

278. The Texas & Pacific Railway Company, Plaintiff in Error, vs. Nancy J. Gay et al. Bessie Gay. In Error to the Supreme Court of the State of Texas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.
Per Mr. Chief Justice Fuller.

573. The Boston Safe Deposit & Trust Company, Appellant, vs. Grant Wilkins et al. Appeal from the Circuit Court of Appeals for the Fifth Circuit.

of the record from the United States Circuit Court of Appeals for the Fifth Circuit and was argued by counsel. Consideration whereof, it is ordered and adjudged by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Georgia.

Per Mr. Chief Justice Fuller.

302. Edward M. Willis, and William L. Johnson, Assignees, Plffs in Error, v. The Eastern Trust & Banking Company. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. Consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

G. G. Latta, Executor of the estate of William N. Grimes, deceased, et al., Appellants,
vs.
Vina Granger.
303

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the Circuit Court of the United States for the Eastern District of Arkansas in this cause be, and the same are hereby reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court.

Per Mr. Chief Justice Fuller.

G. G. Latta, Executor of the estate of William N. Grimes, deceased, et al., Appellants,
vs.
Otis Numbers.
304

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of

Here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the Circuit Court of the United States for the Eastern District of Arkansas in this cause be, and the same are hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court in the case of S. G. Latta, Executor, et al., vs. Vina Granger, No. 303, October Term [illegible]

Per Mr. Chief Justice Fuller.

S. G. Latta, Executor of the estate of William H. Jones, deceased, et al., Appellants, vs. Charlotte [illegible]

376. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the Circuit Court of the United States for the Eastern District of Arkansas in this cause be, and the same are hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with di-

the opinion of this Court in the case of G. G. Latta, Executor &c., et al., vs. Vina Granger, No. 303, October Term 1896.

Per Mr. Chief Justice Fuller.

327. G. G. Latta, Executor of the estate of William M. Jaines, deceased, et al., Appellants, vs. D. C. Riggs. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the Circuit Court of the United States for the Eastern District of Arkansas in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court in the case of G. G. Latta, Executor &c., et al., vs. Vina Granger, No. 303, October Term 1896.

Per Mr. Chief Justice Fuller.

G. G. Latta, Executor of the estate of William H. Gaines, deceased, et al., Appellants
vs.
A. O. Bennett

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court in the cause of G. G. Latta, Executor &c, et al., vs. Vina Granger, No. 303, October Term [illegible].

Per Mr. Chief Justice [illegible]

G. G. Latta, Executor of the estate of William H. Gaines, deceased, et al., Appellants
vs.
J. J. Dumpler et al.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court

by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the Circuit Court of the United States for the Eastern District of Arkansas in this cause be, and the same are hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to enter a decree in conformity with the opinion of this Court in the case of L. Q. Lamar, Executor, &c., v. Nina Granger, No. 303, October Term 1896.

Per Mr. Chief Justice Fuller.

722. The Burdon Central Sugar Refining Company et al., Appellants, vs. Jacob H. Payne et al. On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the negative, and the second and third questions in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller.

762. Thomas Beam, Plff in Error, vs. The United States. Mr. Solicitor General Conrad, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

765. The United States vs. Frank Dudley. Petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Conrad, in support of the same, and Mr. C. A. Snowden and Mr. J. C. Tucker, in opposition thereto.

Leblens N. Rogers, Plff in Error, vs. The United States. Def'dt in Error. Oct. T. 1891. On motion of Mr. Solicitor General Conrad, it is ordered by the Court that the order withholding the mandate herein be, and the same is hereby, rescinded.

581. The Adams Express Co., Plff in Error, vs. The State of Ohio,
582. The American Express Co., Plff in Error, vs. The State of Ohio.
583. The United States Express Co., Plff in Error, vs. The State of Ohio.
Mr. J. K. Richards, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance these cases.

798. James P. Merrill et al. vs. Appellants. The President & Trustees of Bowdoin College et al. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Thomas H. Hubbard, Mr. E. S. Philbury and Mr. Robert Y. Hayne in support of the same, and Mr. Charles H. Lovell, in opposition thereto.

799. The Columbia Water Power Co., vs. Plff in Error, The Columbia Electric Street Railway, Light & Power Company. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. William H. Lyles, in support of the same, and Mr. Le Roy F. Youmans, in opposition thereto.

804. Henry T. Blythe et al., vs. Plff in Error, Florence Blythe Hinerlity. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. William A. H. Hirst, in support of the same, and Mr. Jeff. Chandler and Mr. T. Burke Holladay, in opposition thereto.

797. Rodman M. Price et al., vs. Affirmed in Error, Anna M. Forbes et al. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. Frank H. Hackett, Mr. Cortlandt Parker, and Mr. R. Wayne Parker, in support of the same, and Mr. Flavel McGee, in opposition thereto.

247. The Texas & Pacific Railway Co., vs. Affirmed in Error, William A. Barrett. On motion of Mr. William A. Maury, in behalf of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

805. The Mexican Central Railway Company, vs. Petitioner, Edward Eno. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on a printed argument by Mr. A. T. Britton and Mr. A. B. Browne, in support of the same, with leave to counsel to file briefs in opposition thereto within one week.

Alexander D. Brunot, Syndic
800. vs. Petitioner,
Richard Mellen,

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. C. A. Farnum, Mr. B. F. Jones, and Mr. S. B. Knollschmitt, in support of the same.

Henry C. King,
808. vs. Petitioner
Julius C. Williamson et al.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on a printed argument by Mr. Maynard T. Stiles, in support of the same with leave to counsel to file brief in opposition thereto within one week.

Proclamation being made, the Court is adjourned until Monday, May 17th, at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General McKenna it is ordered that M. L. Graff, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. E. Harvey it is ordered that J. B. Strode, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

by Mr. Joshua Eric Dodge it is ordered that Addison L. Holladay, Esquire, of Richmond, State of Virginia, Louis A. Pradt, Esquire, of Wausau, State of Wisconsin, and Alvin C. Blandenburg, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Grosvenor it is ordered that William E. Bundy, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Carter it is ordered that Bamford A. Robb, Esquire, of Boise, State of Idaho, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alphonso Hart it is ordered that Hanson Sawyer, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. Sayers it is ordered that R. E. Pennington,

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that H. A. Van Steenbergh, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Judson Harmon it is ordered that John J. Glidden, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph B. Church it is ordered that F. N. Barber, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Carlisle it is ordered that H. T. Taylor, Esquire, of Frankfort, State of Kentucky be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

by Mr. F. H. Hough it is ordered that Edward C. Goodwin, Esquire, of Worcester, State of Massachusetts, be admitted to practice as an attorney and Counsellor of this Court and he was accordingly sworn accordingly.

270. Lewis C. Parsons, Jr., Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Peckham.

516. Ra-Kos-Yel-Lee, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the District of Alaska.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Alaska, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that

to the said District Court with directions to set aside the verdict and to grant a new trial.

Per Mr. Justice Brewer.

255. Charles E. Hovey, as Survivor of William C. Dole, vs. Hoffman Exon, George Elliott and George L. Elliott, as Executors of John Elliott, dec'd. In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

256. The California National Bank, vs. Hoffman Exon, Nath. Kennedy. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judg-

be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice White.

Dissenting:
Mr. Justice Harlan.

The City of New Orleans, The Board of Assessors for the Parish of Orleans et al. Appellants,
v.
The Citizens Bank of Louisiana

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

108.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court, the costs in the Circuit Court to be equally divided.

Per Mr. Justice White.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Brown and

Monday, May 24th 1897. Original.

No. 53. The State of Louisiana ex relatione The Citizens Bank of Louisiana, vs. William Baker, The Board of Assessors for the Parish of Orleans, The City of New Orleans, et al.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White

No. 96. Robert M. Yardley, Receiver of The Keystone National Bank, Appellant, vs. George Miller, President of First National Bank, et al., being the Clearing House Committee of the Clearing House Association of the Banks of Philadelphia.

Appeal from the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this

Monday, May 11th, 1891. Continued.

Circuit Court of Appeals and of the Circuit Court of the United States for the Eastern District of Pennsylvania in this cause be, and the same are hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to allow the parties if necessary to reform their pleadings so that their rights may be determined in conformity with the opinion of this Court; the costs of the United States Circuit Court of Appeals to be borne by the Receiver, those of this Court by the appellee, and those in the Circuit Court to abide the final result.

Per Mr. Justice White.

154. Robert G. Medbery v. Thatcher Hutchison, Jr., and Santa Fe Railroad Company, James G. Wilson and John L. Sanders. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Blatchford.

187. The United States, Appellant, vs. James B. Reed, Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, it is hereby ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York. It is further ordered that this decree be entered nunc pro tunc as of March 12, 1894.

Per Mr. Justice Shiras

190. The United States, Appellant, vs. James B. Reed, Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same

the same is hereby remanded to the Circuit Court of the United States for the Southern District of New York. It is further ordered that this decree be entered nunc pro tunc as of March 19, 1894.

Per Mr. Justice Shiras.

274. Brooke Mackall, Appellant, vs. Hesekiel Hillenghby. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras.

281. Brooke Mackall, Appellant, vs. Hesekiel Hillenghby. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Monday, May 11th 1891. [illegible]

256. The St. Joseph & Grand Island Railroad Company, Appellant, v. A. M. Steele, Sheriff of Doniphan County, Kansas. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause coming on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals and of the Circuit Court of the United States for the District of Kansas in this cause, and the same is hereby reversed, the costs in this Court to be paid by the appellee, and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill of complaint for want of jurisdiction.

Mr. Justice Miller delivered the opinion of the Court.

287. Augustus F. Knapleigh, Plaintiff in Error, v. The City of Alexandria. In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now

judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Shiras.

534. The Interstate Commerce Commission, Appellant, v. The Detroit, Grand Haven & Milwaukee Railway Company. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Western District of Michigan.

Per Mr. Justice Shiras.

Friday, May 24th, 1895. Continued.

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275. Daniel A. Caufield et al. vs. William Burns, et al. vs. The United States. Appeal from the United States Circuit Court for the District of Colorado.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Colorado.

Per Mr. Justice Peckham.

271. Joel Parker Whitney et al. vs. Appellants, The United States. Appeal from the Court of Private Land Claims.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to

proceedings in conformity with the opinion of this Court.

Per Mr. Justice Brown.

The Merchants' & Manufacturers' National Bank of Pittsburgh, Pennsylvania, Plff in Error, vs. The Commonwealth of Pennsylvania. } In Error to the Supreme Court of the State of Pennsylvania.

301.

This Cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

(Mr. Justice Shiras did not hear the argument and took no part in the decision of this case.)

C. S. Wright, Plff in Error, vs. The United States. } In Error to the District Court of the United States for the Western District of Pennsylvania.

1494.

This Cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof

Monday, May 14th, 1894. Continued.

that the judgment of the said District Court in this cause be, and the same is hereby affirmed.

(Per Mr. Justice Brown.

Mr. Justice White concurs in the result.)

182. John D. Warner, Appellant, vs. The City of New Orleans. On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, it is the opinion of this Court that the first question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

(Per Mr. Justice Brown.

Mr. Justice White and Mr. Justice Peckham took no part in the decision of this case.)

178. E. M. Cameron, Appellant, vs. The Chicago & Northwestern Railway Company. On Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued

here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs. And that this Cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Iowa.

(Per Mr. Justice Brown.)

(Mr. Justice Brown took no part in the decision of this case.)

The Interstate Commerce Commission, Appellant, v. The Cincinnati, New Orleans & Texas Pacific Railway Co. et al. 733. On certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

This Cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

(Per Mr. Justice Brown.)

Dissenting:
Mr. Justice Harlan

1141. The Savannah, Florida & Western Railway Company, Appellant, vs. The Florida Fruit Exchange, Appellee. } Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Florida with directions to enter a decree for the defendant, dismissing the bill, without prejudice.

(Per Mr. Justice Brewer.)

(Dissenting:
Mr. Justice Harlan.)

The Propeller "J. P. Donaldson", Robert Holland, Claimant, Appellant, vs. The Barge "Eldorado," Martha A. Seyfield, Owner, Libelant, and The Barge "Iron Duke," R. Hasley, Claimant, Intervening Libelant, Appellee. } Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript

for the Sixth Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon it is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

(Per Mr. Justice Gray.)

(Mr. Justice Brown took no part in the decision of this case.)

39. The Tug "Glide" and owners, Plffs in Error, vs. The Atlantic Works. In Error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Superior Court for further proceedings not inconsistent with the opinion of this Court.

(Per Mr. Justice Gray.)

(Mr. Justice Brewer did not hear the argument and took no part in the decision of this case.)

E. J. Peck and Leo Simmons, Plaintiffs, vs. Christian Heinrich, Defendant in Error

284. In Error to the Court of Appeals of the District of Columbia

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause, be, and the same is hereby affirmed with Costs.

Per Mr Justice Grier

James P. Merritt and Henry P. Merritt, Appellants, vs. The President & Trustees of Bowdoin College et al

775. Appeal from the Circuit Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr Justice Nelson

(The Chief Justice did not sit and took no part in the con-

Ana J. Dominguez de Unger, Maria D. Dominguez de Watson, et al., vs. William Banning. In Error to the Supreme Court of the State of California.

No. 306.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice Harlan.

Peter Menotti, vs. Kate May Dillon and Mary Dico Crocker. In Error to the Supreme Court of the State of California.

No. 309.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings

75. Charlotte M. MacGrant & al
William P. MacGrant,
vs. Appellants,
Asa M. Taylor & Mamie E.
Norment, Executrix of Isaac
Monchie, deceased.

Appeal from the
Court of Appeals
of the District of
Columbia.

This cause came on to be heard on the transcript
of the record from the Court of Appeals of the Dis
trict of Columbia, and was argued by counsel.
On consideration whereof, It is now here ordered
adjudged, and decreed by this Court that the
decree of the said Court of Appeals in this cause
be, and the same is hereby, reversed with cost
And that this cause be, and the same is hereby
remanded to the said Court of Appeals for fur
ther proceedings in conformity with the
opinion of this Court.

(Per Mr. Justice White.

(The Chief Justice and Mr. Justice Brown
are of opinion that the decree should be
affirmed.)

205. The United States,
vs. Appellant,
Julian Knight et al.

Appeal from the Court
of Private Land Claims

207. Levi P. Morton,
vs. Appellant
The United States.

the record from the Court of Private Land Claims, on separate appeals, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause as to Levi P. Morton be and the same is hereby, affirmed, and as to Julian Sandoval et al. be, and the same is, hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Private Land Claims with directions to enter a decree in conformity with the opinion of this Court.

Per Mr. Chief Justice Fuller.

1895. The Rio Arriba Land and Cattle Company Limited, Appellant, v. The United States. Appeal from the Court of Private Land Claims

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

551. The Adams Express Co., Plff in Error, vs. The State of Ohio.
552. The American Express Co., Plff in Error, vs. The State of Ohio.
553. The United States Express Co., Plff in Error, vs. The State of Ohio.

On consideration of the motion to advance these causes, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument, as one case, on the second Monday of the next term, after the causes heretofore assigned for that day.

Per Mr. Chief Justice Fuller

709. The Columbia Water Power Co., Plff in Error, vs. The Columbia Electric Street Railway, Light & Power Company.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller

762. Thomas Bram, Plff in Error, vs. The United States.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term at the head of the call for that day.

Per Mr. Chief Justice Fuller

795. The United States, vs. Petitioner, Frank Dudley. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(Per Mr. Chief Justice Fuller.)

797. Rodman M. Price et al., vs. Plffs in Error, Anna M. Forrest et al. It is ordered by the Court that the further consideration of the motion to dismiss, or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

(Per Mr. Chief Justice Fuller.)

800. Alexander D. Barrow, Syndic, vs. Petitioner, Richard Milliken, On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument

ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

No. 11. Henry P. Blythe et al., Appellants, vs. Hiffin Bros., Florence Blythe Kennedy. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

No. 205. The Mexican Central Railway Company, Petitioner, vs. Edward Eidman. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Henry C. King,
508. vs. Petitioner,
Julius C. Hellmuth et al. It is ordered by the Court that the further consideration of the petition for a writ of certiorari herein be, and the same is hereby, postponed until the next term.
Per Mr. Chief Justice Fuller.

The Patapsco Guano Co.,
54. vs. Appellant,
The Board of Agriculture of North Carolina et al. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument before a full Court.
Per Mr. Chief Justice Fuller.

The State of New Jersey,
1, Original. vs. Complainant,
The State of Delaware et al. It is ordered by the Court that the Clerk be, and he is hereby directed to notify counsel in this cause that the Court expects this cause to be disposed of at the next term.
Per Mr. Chief Justice Fuller.

M. F. Morris et al.,
643. vs. Appellants,
The United States. On motion of Mr. Solicitor General Conrad, it is now here ordered by the Court that this cause be, and the same is hereby,

first Monday of January 1898.

The United States, Complainant
vs.
The State of Texas

On motion of Mr. Solicitor General, Conrad, leave is hereby granted to withdraw from the files of this Court the book entitled "Guide to Republic of Texas"

3 Orig. Oct. Term 1896.

The State of Indiana, Complainant
vs.
The State of Kentucky

On motion of Mr. William Lindsay in behalf of complainant, leave is hereby granted to file the report of the Commissioners herein in relation to the permanent marking of the boundary line between the States of Indiana and Kentucky, and said report was submitted to the consideration of the Court

2 Original.

Thomas P. Peckham
vs. Petitioner
The Sheffer-Bliss Manufacturing Company.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the consideration of the Court on printed arguments by Mr. A. C. Story, in support of the same, and Mr. J. M. Flower, Mr. Frank L. Smith and Mr. Harrison Musgrave, in opposition thereto.

503.

736. The Capital National Bank of Lincoln, Nebraska, et al. vs. Plff's in Error; The Coldwater National Bank of Coldwater, Michigan. Ordered by the Court that the motion to dismiss herein be postponed until the hearing.

813. L. N. Myers, vs. Petitioner, Richmond Traction Co, et al. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on a printed argument by Mr. Robert Stiles and Mr. A. L. Holladay, in support of the same.

67. J. J. Douglass, vs. Plff in Error, The Commonwealth of Kentucky. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. S. Taylor and Mr. Milligan Yockel, in support of the same, and Mr. John G. Carlisle in opposition thereto.

815. Thomas M. Adams et al, Admin'rs, vs. Petitioners, Benjamin R. Cowen et al, Trustees. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit was

printed arguments by Mr. Laurence Maxwell in support of the same, and Mr. Judson Harmon, Mr. John Little and Mr. John J. Glidden, in opposition thereto.

86. National Accident Society, vs. Petitioner, Fannie Spies. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit was submitted to the consideration of the Court on a printed argument by Mr. W. S. McKinney, in support of the same.

117. Edward M. Willis et al., vs. Petitioners, The Eastern Trust & Banking Co. The petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia was submitted to the consideration of the Court by Mr. William A. Maury, Mr. Calderon Carlisle, and Mr. William G. Johnson, in support of the same.

108. The City of New Orleans et al., vs. Appellants, The Citizens Bank of Louisiana. The State of Louisiana ex rel. The Citizens Bank of Louisiana, vs. Appellees, The Board of Assessors for the

1453. On motion of Mr. William A. Maury, counsel for the Citizens Bank, it is ordered by the Court that the judgments and mandates

until the further order of this Court.

665. The Village of Norwood, Pet. Appellant, vs. Ellen R. Baker. Ordered by the Court that the motion to advance herein be postponed until the next term.

In the matter of the Board of Supervisors of Presque Isle County, Petitioner. Mr. F. D. McKenney, in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus.

814. The American Grocery Co. vs. Alexis Godillot, Jr. The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit was submitted to the consideration of the Court on printed arguments by Mr. W. A. Van Steenbergh, in support of the same, and Mr. N. Upington, in opposition thereto.

673. The California National Bank of San Francisco vs. Richard P. Rithet. The motion to dismiss in this cause was submitted to the consideration

record and printed arguments by Mr. A. H. Nickels, in support of the same, and Mr. Eddy Knapp and Mr. Robert Ake in opposition thereto.

The California National Bank of San Francisco et al., Plffs. in Err., vs. Allen Dennis, T. K. Stubbs et al. — The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Robert Brent Mitchell, in support of the same, and Mr. Eddy Knapp and Mr. Robert Ake, in opposition thereto.

666. Willis Thorp, Plff. in Error, vs. J. A. Bonnifield et al. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John M. Thurston, of counsel for the plaintiff in error, and Mr. E. S. Pillsbury, of counsel for the defendants in error.

817. Edward M. Willis and William S. Johnson, Assignees, Petitioners, vs. The Eastern Trust & Banking Co. — On a petition for a writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari, herein to the Court of Appeals of the District of Columbia, and of the argument of counsel

the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

817. Edward M. Willis et al., Petitioners, vs. The Western Knot & Bending Co. It is ordered by the Court that this cause be, and the same is hereby, advanced to be submitted on printed briefs to be filed on or before the second Monday of the next term.

Per Mr. Chief Justice Fuller.

813. L. N. Nyer, Petitioner, vs. Richmond Traction Company et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

813. L. N. Nyer, Petitioner, vs. Richmond Traction Co. et al. It is ordered by the Court that this cause be, and the same is hereby, advanced to be submitted on printed briefs to be filed on or before the second Monday

SUPREME COURT OF THE UNITED STATES.

No. 2, Original.—October Term, 1896.

The State of Indiana, Complainant,
vs.
The State of Kentucky.

(May 24, 1897.)

Mr. Chief Justice Fuller announced the decree of the Court:

This cause coming on to be heard on the report of Amos Stickney, Gustavus V. Menzies and Gaston M. Alves, commissioners, heretofore appointed to ascertain and run the boundary line between the States of Kentucky and Indiana, and continued by the decree of this court therein entered May 18, 1896, for the purpose of permanently marking said line as set forth in their then report which was approved by this court on that date, and to make report thereon to this court; which report now made is as follows:

To the Honorable Melville W. Fuller, Chief Justice of the Supreme Court of the United States:

The undersigned Commissioners, appointed by this honorable court, in the above-entitled cause, respectfully report, that, pursuant to the order made in said cause at the October term, 1895, continuing the commission for the purpose therein stated, they gave notice for bids for the stone monuments and iron posts and setting of the same to mark the boundary line as established by the order of this court. The commission met at the custom house in the city of Evansville, Indiana, on the ninth day of April, 1897, and received and opened the bids for the above-named material and work. The casting of the iron posts was let to the Heilman Machine Works of Evansville, Indiana, for the sum of one hundred and twenty dollars ($120.00), it being the lowest and best bidder; the making and setting in place of the three stone monuments was let to F. J. Scholz & Son of Evansville, Indiana, for the sum of two hundred and forty-five dollars ($245.00), said firm being the lowest and best bidder; the setting of the sixteen iron posts was let to Eli. Cross of Evansville, Indiana, for the sum of one hundred and ninety-seven dollars ($197.00), he being the lowest and best bidder. That contracts were made with each of said parties and bonds taken for the honest and faithful performance of the contracts. That on the 7th day of May, 1897, after the engineer in charge of the work had reported that the monuments had been erected, and posts placed in position, in conformity to the order of the court, and the location on the established line of each monument and post had been verified by accurate observations and measurements, the Commission, accompanied by the engineer, visited the line, and by observations and measurements satisfied themselves of the accuracy of locations, and that the work of making and placing the boundary marks had been well done, and in accordance with the order of the court.

We herewith attach, as a part of this report, the report of the engineer in charge of the works. Also a statement of expenses incurred and compensation of the Commissioners since making the former report, which we recommend be adjudged as cost equally against the parties to the suit. We further recommend that upon the confirmation of this report, a certified copy of the same be sent to the Governor of the State of Indiana, and one to the Governor of the Commonwealth of Kentucky.

Your Commissioners therefore pray that this report be confirmed and they be discharged.

Amos Stickney,
Gustavus V. Menzies,
Gaston M. Alves,
Commissioners.

To the Honorable Commissioners on the Indiana and Kentucky Boundary Line at Green River Island.

Gentlemen: In accordance with your instructions, I made plans and detailed drawings for stone and iron monuments, to permanently mark the line between the States of Indiana and Kentucky, at Green River Island,

to replace the cedar posts as placed on it during the winter of 1896. Upon your approval of the plans and letting the contracts for the monuments, I proceeded to verify the line and angles to satisfy myself that no post had been moved. On the completion of the monuments I superintended the work of setting them.

The three monuments of stone are of sawed Green River limestone, 18 inches in cross section and 6 feet in length. At the starting point on the section line between sections 14 and 15, town 7 south, range 10 west, the monument has the word "Initial" on the side next section 14, on the north side the word "Indiana," and on the south side the word "Kentucky" cut horizontally in the stone near the top, in Egyptian letters.

Near the midway distance along the line, and near the line between sections 8 and 9, the second stone monument is set, with the word "Indiana" cut on the northerly side, and the word "Kentucky" cut on the southerly side, similar to the first monument.

At the terminal point going down the Ohio River, the third stone monument is placed. The word "Indiana" is cut on the northeasterly side, the word "Kentucky" on the southwesterly side, and the word "Terminal" on the northwesterly side in the same style as the first monument.

For each of these monuments there was an excavation made six feet square and four feet deep, in the bottom of which one foot in thickness of concrete was placed and well rammed. On this the stone was placed on end and filled around with concrete, well rammed to the surface of the ground, leaving three feet of the stone above the ground.

At each of the 16 intermediate angles, iron monuments were placed. These are of cast iron, round, six inches in cross section, the top closed and a square pedestal cast on the lower end, the casting being three-quarters of an inch thick. The word "Indiana" on the one side and the word "Kentucky" on the other, were cast in raised letters, the words reading downward.

An excavation was made for each of these, three feet square and three and one-half feet deep, and six inches of concrete well rammed in the bottom, on which the post was set and filled around with concrete to the surface of the ground, leaving three feet above ground. In four places where silt had accumulated rapidly on account of a depression in the ground, the excavation was made more shallow, but in each case the concrete bed is three and one-half feet in depth, and the earth banked around it to protect the concrete.

Great care was taken in having centers cut in each monument, and placing them on the exact angle point on the line as originally located.

Every monument was set and completed under my own personal supervision.

Respectfully submitted,

C. C. GENUNG, *C. E.*

EVANSVILLE, IND., *May 5th, 1897.*

Statement of expenses incurred and compensation of the Commissioners since making former report.

C. C. Genung, Civil Engineer.—Services of himself and assistants, making plans, specifications, writing contracts, verifying lines, angles and points on boundary line; laying out and superintending work, expenses of teams for self and Commissioners at various times for supervising and inspecting work		$195 50
Keller Printing Company, for printing and typewriting		12 50
Heilman Machine Works, 16 iron posts		120 00
F. J. Scholz & Son, 3 stone monuments, placed		245 00
Eb. Cross, placing 16 iron posts in concrete		197 00
Expenses of Lt.-Col. Amos Stickney, Commissioner	$34 50	
Services as member of commission	100 00	
		134 50
Expenses of Gustavus V. Menzies, Commissioner	10 00	
Services as member of commission	100 00	
		110 00
Expenses of Gaston M. Alves, Commissioner	7 50	
Services as member of commission	100 00	
		107 50
Total		$1,122 00

It is ordered, adjudged and decreed that their said report this day filed be, and the same is hereby, affirmed.

It is further ordered, adjudged and decreed that the compensation of the commissioners and expenses attendant upon the discharge of their duties in permanently marking said line as directed by the decree of May 1st, 1896, be, and the same are hereby, allowed at the sum of one thousand one hundred and twenty-two dollars ($1,122), in accordance with their report, and that said charges and expenses and the costs of this suit to be taxed be equally divided between the parties hereto.

And it is further ordered, adjudged and decreed that the clerk of this court do forthwith transmit to the Chief Magistrates of the States of Kentucky and Indiana copies of this decree, duly authenticated, under the seal of this court.

per M. ... Chief Justice

62. J. J. Douglass, &c. vs. Pltfs. in Err.
The Commonwealth of Kentucky

It is ordered by the Court that the motion to dismiss herein be, and the same is hereby postponed until a hearing of the Cause on its merits.

Per M. Chief Justice Todd

Order

It is now here ordered by the Court that all the Cases on the docket not decided and all the other business of the term not disposed of by the Court be and the same are hereby continued until the next term.

Per M. Chief Justice Todd

Proclamation being made the Court is adjourned to the time and place appointed by law.

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At the Capitol of the United States in the City of Washington and District of Columbia being the Place & seat of the National Government of the United States, on the Second Monday of October (being the eleventh day of the said month) in the year of our Lord one thousand eight hundred and ninety-seven, and of the Independence of the United States the one hundred and twenty-second, the Supreme Court of the United States met agreeably to law.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Esq. Clerk.

Proclamation being made the Court [illegible]

The Honorable John K. Richards appeared and produced the following Letters Patent, which were ordered to be recorded on the minutes of the Court as follows, viz:

William McKinley.

To all who shall see these Presents, Greeting:
Know ye; That reposing special trust and
Confidence in the Integrity and Ability of
K. Richards of Ohio, I have nominated a
by and with the advice and consent of the
do appoint him Solicitor General, and do au
ize and empower him to execute and fulfil the
of that Office according to Law, and to have a
to hold the said Office with all the powers,
leges and emoluments thereunto of right ap
taining unto him, the said John K. Rich

In testimony whereof, I have
these Letters to be made Patent
the Seal of the Department of
to be hereunto affixed.

(Seal.)

Given under my hand, at th
of Washington the first day o
in the year of our Lord one thou
eight Hundred and ninety-
and of the Independence of
United States of America the
hundred and twenty-first

William McKinley.

By the President:
Joseph McKenna,
Attorney General.

On motion first made to the Court in this behe
Mr. George Clark it is ordered that John D.
son, Esquire, of St. Louis, State of Missouri,

of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General McKenna it is ordered that M. F. Fitzgerald, Esquire, of San Francisco, State of California, James E. Boyd, Esquire, of Greensboro, State of North Carolina, and John L. Thompson, Esquire, of Danville, State of Illinois be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. C. Eyleshings it is ordered that H. H. Anderson, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that Edward F. Brown and William H. Blymyer, Esquires, of New York City, and J. C. Byers, Esquire, of Mena, State of Arkansas, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. M. Crane it is ordered that Thomas H. Clark, Esquire, of Montgomery, State of

State of Texas, be admitted to practice as
ney and Counsellors of this Court and the
sworn accordingly.—)

On motion first made to the Court in this be
by Mr. Charles Turner it is ordered that
S. Grubb, Esquire, of Birmingham, State
bama, be admitted to practice as an attor
and Counsellor of this Court and he was
accordingly.

On motion first made to the Court in this be
by Mr. William A. Maury it is ordered that
George H. Peirce and E. G. C. Bleakley, E
of Camden, State of New Jersey, and Henry
Esq. of Washington, District of Columbia, C
mitted to practice as attorneys and Counsell
this Court and they were sworn accordingly

On motion first made to the Court in this be
Mr. A. Frank Seltzer it is ordered that Jno.
Strouse, Esquire, of Lebanon, State of Penn
vania, be admitted to practice as an attor
and Counsellor of this Court and he was
accordingly.

The Chief Justice announced that the Court
Commence the call of the docket tomorrow
Hunt to the Work rule.

Proclamation being made the Court is adjo

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Charles J. Penel, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry E. Davis it is ordered that Samuel E. Fisher, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Raleigh, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wayne MacVeagh it is ordered that E. Shick Esquire, of Lebanon, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E.C. Russing it is ordered that Frank S. and Robert S. Ide, Esquires, of Chicago, and C. C. Atkin, Esquire, of Springfield, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that James E. Jenkins and Hermon A. Phillips, Esquires, of the State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. D. Guthrie it is ordered that Arthur C. Esquire, of New York City, and Rudolph Mat Frederick K. Babcock, Esquires, of Chicago, of Illinois, be admitted to practice as attor

Sworn according to

273. The United States, Appellant, vs. Thomas E. Milchrist. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now hereordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

330. The United States, Appellant, vs. Mary E. Skelly, Administratrix of Richard G. Skelly, deceased. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now hereordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

360. The United States, Plff in Error, vs. John A. Foreman. In Error to the Supreme Court of the Territory of Oklahoma.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of Counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error herein, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is, hereby, dismissed.

(Per Mr. Chief Justice Fuller.)

361. The United States, Appellant, vs. John A. Foreman. Appeal from the Supreme Court of the Territory of Oklahoma.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of Counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

(Per Mr. Chief Justice Fuller.)

194. Herman Keck, Plff in Error, vs. The United States. By motion of Mr. Solicitor General Richards, It is ordered by the Court that

is hereby re-assigned for re-argument on the first Monday of January next after the cause heretofore assigned for that day.

E. M. Galvin et al.,
vs. Plffs in Error,
E. F. Talmage.

The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. Joshua Eric Dodge in support of the same.

William P. Craighill et al.,
vs. Appellants.
Granville Lambert et al.

On motion of Mr. T. A. Lambert, of counsel for the appellees, it is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, December 6th next.

Henry C. King,
vs. Plff in Error.
M. B. Mullins et al.

On motion of Mr. J. N. Ferguson, of counsel for the defendants in error, leave is hereby granted him to file a supplemental brief herein and to Mr. M. F. Stiles, of counsel for the plaintiff in error, to file a reply thereto within two days.

Henry C. King,
vs. Petitioner,
J. C. Williamson et al

On motion of Mr. M. F. Stiles, of counsel for the petitioner, leave is hereby

supplemental brief herein.

406. The Houston & Texas Central Railway Co. et al., vs. Plffs in Error, The State of Texas.

And

421. The Galveston, Harrisburg & San Antonio Railway Co. et al., vs. Plffs in Error, The State of Texas.

Mr. M. M. Crane, of Counsel for the defendant in error, submitted to the Consideration of the Court motions to advance these cases

376. Elizabeth Nobles, by her next friend, W. W. Vaughn, vs. Plff in Error, The State of Georgia.

Mr. J. M. Terrell of Counsel for the defendant in error, submitted to the Consideration of the Court a motion to advance this cause.

429. W. N. P. Durant, vs. Appellant, W. E. Hale, Warden &c.

Mr. W. F. Fitzgerald, of Counsel for the appellee, submitted to the Consideration of the Court a motion to advance this cause.

415. Benjamin Hawker, vs. Plff in Error, The People of the State of New York.

Mr. John D. Lindsay, of Counsel for the defendant in error, submitted to the Consideration of the Court a motion to advance this cause.

312. William R. Hall, Plff in Error, vs. The United States. Mr. Arthur C. Dulles, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

1, Original. The State of New Jersey, Complainant, vs. The State of Delaware. On motion of Mr. George Gray, of counsel for the defendant, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term

19. A. A. McCullough, Plff in Error, vs. The Commonwealth of Virginia. On motion of Mr. Holmes Conrad, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, January 3d next, after the cases heretofore assigned for that day.

20. Ransom Payne, Appellant, vs. H. S. Robertson et al. On motion of Mr. S. D. Luckett, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of Section 4 of the Act

1175 Josephine C. Duke et al., Executors &c., vs. Plffs in Error.
Daniel A. Kochersperger, County Treasurer &c.

Elizabeth E. Sawyer and Charles A. Sawyer, Executors &c., et al., vs. Plffs in Error,
1463. Daniel A. Kochersperger, County Treasurer &c.

Josie Nolon Florence Magoun, vs. Appellant,
1464. Illinois Trust and Savings Bank, Executor &c. et al.

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James C. Neely et al., vs. Petitioners,
1468. Isidore Newman, &c.

The petition for a
Certiorari herein
submitted to the
sideration of the
on printed arguments by Mr. Thomas A
and Mr. W. A. Gunter, in support of the Pet
Mr. J. D. Rouse and Mr. William Grant, in
sition thereto.

Frank N. Pierce, vs. Petitioner
1469. The Tennessee Coal, Iron & Railroad Company.

The petition for a
of Certiorari he
submitted to t
sideration of th
on printed arg
by Mr. Thomas H. Clark and Mr. W. A. Gunte
support of the same, and Mr. William J. G

1408. The Continental Trust Co., of New York, Trustee, vs. The American Sugar Ref. Co. Petitioner,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Willard Parker Butler and Mr. A. H. Snow, in support of the same, and Mr. Bluford Wilson, in opposition thereto.

1474. The Board of County Commissioners of the County of Lake, Colorado, vs. Harvey H. Dudley, Petitioner,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. S. Thomas and Mr. H. H. Bryant, in support of the same, and Mr. Edmund F. Richardson, in opposition thereto.

1475. The Board of County Commissioners of the County of Gunnison, Colorado, vs. E. H. Rollins & Son, Petitioners,

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. S. Thomas and Mr. H. H. Bryant, in support of the same, and Mr. Edmund F. Richardson, in opposition thereto.

1473. The Auditor and Taylor Co., vs. Petitioner, Frederick J. Sigua. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William A. Maury, in support of the same, and Mr. Edward F. Brown, in opposition thereto.

1460. Augustus E. Randall, vs. Petitioner, The Township of Regent. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James F. Keena, in support of the same, and Mr. Henry M. Duffield in opposition thereto.

354. Charles H. Nordstrom, vs. Appellant, William A. Moyer, Sheriff &c. Mr. Frederic D. McKenney, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to leave to prosecute this cause in forma pauperis.

4, Original. Ex parte In the matter of E. C. Beach, Petitioner. On petition for writ of habeas corpus

This cause having been called to the attention of the Court by Mr. J. Mathews Johnson, of counsel for the petitioner, and he having moved the Court to,

Clerk of said motion. It is now hereordered by this Court that this petition be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

13. James S. Valk, Survivor &c., Appellant, v. The United States et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John C. Chaney, of counsel for the appellant, and, The Attorney General and Mr. Assistant Attorney General Thompson, of counsel for the appellee.

1. The City of New Orleans, Appellant, v. The Texas & Pacific Railway Co. et al. On motion of Mr. W. W. Howe, of counsel for the appellees, it is ordered by the Court that this cause be, and the same is hereby assigned for argument on Monday, January 3d next, after the cases heretofore assigned for that day.

2. John A. McBride, Appellant, v. The Grand De Tour Plow Co. et al. Mr. J. M. Wilson, in behalf of counsel for the appellant, moved the Court to continue this cause

sel. Whereupon, It is now here ordered by the Court that this cause be, and the same is hereby, passed, for 30 days.

3. George F. Tuttle, Plff in Error, vs. P. Crowley, Chief of Police of the City and County of San Francisco, State of California. — In Error to the Supreme Court of the State of California.

This cause having been called for hearing in its regular order, and it appearing to the Court that this is the second term at which this cause has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error, pursuant to the 19th rule of this Court. Whereupon, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

(Per Mr. Chief Justice Fuller.)

7. Leandro Sandoval et al., Appellants, vs. The United States et al. — Appeal from the Court of Private Land Claims.

This cause having been called for hearing in its regular order, and a stipulation to dismiss this cause having been filed, Therefore, in pursuance

and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

8. The United States, Appellant, vs. Earl B. Coe. Ordered by the Court that this cause be passed temporarily.

9. The Patapsco Guano Co., Appellant, vs. The Board of Agriculture of North Carolina et al. Ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday January 17th 1876.

11. William R. Watkins, Plff in Error, vs. William Rennie. In Error to the United States Court for the Indian Territory.

This cause having been called for hearing in its regular order, and it appearing to the Court, that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here, Ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

The Bondholders and Purchasers of The Iron Railroad, Appellants, vs. The Toledo, Delphos & Burlington Railroad Company and The Toledo Cincinnati & St. Louis Railroad Co. 29. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

Appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

Juana Walker, by Rosetta Jones, her guardian, Plff in Error vs. A. J. Doran, Administrator of the estate of John D. Walker, deceased, Wm A. Walker et al. 256. In Error to the Supreme Court of the Territory of Arizona.

Appearing to the Court that an authority of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

1115. William A. Clark
vs. Pltff in Error,
William F. Fitzgerald et al.

The motion to dismiss and affirm in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. James W. Forbis, in support of the same.

155. The Union Mutual Life Insurance Co.
vs. Pltff in Error,
Elizabeth Hinchoff.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. George R. Daley, in support of the same, and Mr. Frank L. Wean and Mr. E. Parmalee Prentice, in opposition thereto.

373. The Capital National Bank of Lincoln, Neb., et al.,
vs. Pltfs in Error,
The Coldwater National Bank of Coldwater, Michigan.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. L. C. Burr, in support of the same, and, Mr. A. E. Harvey, Mr. John A. Ames, Mr. Amasa Cobb, and Mr. L. M. Lamberton, in opposition thereto.

Henry Craemer,
466. vs. Appellant,
The State of Washington et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. C. Jones, in support of the same, and Mr. James Hamilton Lewis, in opposition thereto.

Amado Chaves et al.,
4. vs. Appellants,
The United States et al.
The Pueblos of Zia, Santa Ana and Jemez,
5. vs. Appellants,
The United States et al.
Manuel Crespin et al.,
6. vs. Appellants,
The United States

These cases were argued by Mr. Henry M. Teller, of counsel for the appellants, and Mr. Matt G. Reynolds, of counsel for the appellees.

J. J. Douglass,
10. vs. Plff in Error
The Commonwealth of Kentucky.

The argument of this cause was commenced by Mr. D. W. Sanders, of counsel for the plaintiff in error, and continued by Mr. W. S. Taylor, of counsel for the defendant in error, and Mr. John G. Carlisle, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Mark it is ordered that John Henry Meredith, Esquire, of San Francisco, State of California, and Charles S. Evans, Esquire, of Dallas, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Carlisle it is ordered that Marion Rolin, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible]

Bierer, Esquire, of Perry, Territory of Oklahoma, and Everard Bierer, Jr., Esquire, of Miamitha, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

336. John W. Baker, Sheriff &c., Appellant, vs. William Price.
337. John W. Baker, Sheriff &c., Appellant, vs. F. A. Austin.
338. John W. Baker, Sheriff &c., Appellant, vs. H. E. Hawkins.
339. John W. Baker, Sheriff &c., Appellant, vs. Silas M. Tinsley.

On motion of Mr. George Clark, of counsel for the appellee, It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday, January 3d, next, after the cases heretofore assigned for that day.

297. The United States, Appellant, vs. Frederick Marsh, et al.

On motion of Mr. Rochester Ford, of counsel for the appellees, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with Case No. 27, as one case.

8. The United States, Appellant, vs. Earl B. Coe.
27. Santiago Ainsa, Admr, Appellant, vs. The United States.
28. Juan Pedro Camou, Appellant, vs. The United States.
30. Robert Perrin, Appellant, vs. The United States.
15. Santiago Ainsa, Admr, App't, vs. The New Mexico & Arizona R.R.Co.
16. Santiago Ainsa, Admr, App't, vs. The New Mexico & Arizona R.R.Co. et al.

On motion of Mr. Matt G. Reynolds, of Counsel,

they are hereby assigned for argument on Monday January 3d Next, after the cases heretofore assigned for that day.

71. P. H. Rhodes, Pl'ff in Error, vs. The State of Iowa. On motion of Mr. L. D. Michener, in behalf of Counsel, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, January 3d next, after the cases heretofore assigned for that day.

31. William Pinkerton et al., Appellants, vs. The United States. Appeal from the Court of Private Land Claims.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 16th Rule of this Court, now here ordered, adjudged, and decreed by this Court that this Appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

32. The Chicago, Milwaukee & St. Paul Railway Co., vs. Plff in Error, Frank P. Campbell et al., Railroad Commissioners of the State of Iowa. In Error to the Supreme Court of the State of Iowa.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

10. J. J. Douglas, vs. Plff in Error, The Commonwealth of Kentucky. The argument of this cause was concluded by Mr. John G. Carlisle, of Counsel for the plaintiff in error.

18. Lewis Miller, vs. Plff in Error, The Cornwall R. R. Co. The argument of this cause was commenced by Mr. Benj. Morris Strouse, of Counsel for the plaintiff in error, continued by Mr. Wayne MacVeagh, of Counsel for the defendant in error, and concluded by Mr. A. Frank Seltzer, of Counsel for the plaintiff in error.

23. The St. Anthony Falls Water Power Company vs. Hoffin Error, The Board of Water Commissioners of the City of St. Paul

24. The Minneapolis Mill Co vs. Hoffin Error, The Board of Water Commissioners of the City of St. Paul

The argument of these cases was commenced by Mr. Rome G. Brown, of Counsel for the plaintiffs in error, and continued by Mr James C. Markham, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 11th, 1897

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Waller D. Burridge, Jr., it is ordered that Frederick Bauman, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Porter Morse it is ordered that Edward D. Renick, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

75. Thomas P. Beal, Receiver of The Maverick National Bank of Boston, Plff in Error, vs. The Essex Savings Bank. In Error to the United States Circuit Court of Appeals for the First Circuit.

It appearing to the Court that an authority of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed therefore, in pursuance of said authority, It is now hereordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

36. George F. Underhill, Plff in Error, vs. Jose Manuel Hernandez. On motion of Mr. Edward J. Renick, in behalf of counsel for the defendant in error. It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 997 of Rev. St.

37. Levi S. Whitfield, Plff in Error, vs. The United States. In Error to the District Court of the United States for the Northern District of California.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the rule

rule of this Court, now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

Josephine N. Hupperman,
145. vs. Appellant,
The Steamship "Carib Prince" &c.

Ordered by the Court that this Cause be, and the same is hereby, assigned for argument on Monday, January 3d next after the Causes heretofore assigned for that day.

The St. Anthony Falls Water Power Co.,
23. vs. Plff in Error,
The Board of Water Commissioners of the City of St. Paul.
The Minneapolis Mill Co.,
24. vs. Plff in Error,
The Board of Water Commissioners of the City of St. Paul.

On motion of Mr. Rome G. Brown, of Counsel for the Plaintiffs in Error, leave is hereby granted to file herein certified copies of the Briefs filed in the Supreme Court of the State of Minnesota in these Causes.

The St. Anthony Falls Water Power Co.,
23. vs. Plff in Error,
The Board of Water Commissioners of the City of St. Paul.
The Minneapolis Mill Co.,
24. vs. Plff in Error,
The Board of Water Commissioners of the City of St. Paul.

The argument of these cases was continued by Mr. James E. Markham and Mr. Harmon W. Phillips, of Counsel.

in error, and concluded by Mr. Rome G. Brown, of counsel for the plaintiff in error.

35. The United States, Appellant, vs. Simon Goldenberg et al

This cause was argued by Mr. Edwin B. Smith, of Counsel for the appellees, and submitted on a printed argument by the Attorney General, of counsel, for the appellant

76. Edward Hodgson, Plff in Error, vs. The State of Vermont

The argument of this cause was commenced by Mr. E. J. Phelps, of Counsel for the plaintiff in error, and Continued by Mr. C. A. Prouty and Mr. Frank L. Fish, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Friday, October 8th 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that James D. Allread, Esquire, of Greenville, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne, it is ordered that Jose Knight, Esquire, of Evanston, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

311. The United States, Appellant, vs. The Joint Traffic Association et al. — On motion of Mr. Solicitor General, Richards, it is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, January 3d next after the cases heretofore assigned for that day.

147. The State of Missouri exrel. The Laclede Gas Light Co., Plff in Error, vs. Michael J. Murphy, Street Commissioner &c. — On motion of Mr. Henry Hitchcock, of counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, January 3d next after the cases heretofore assigned for that day.

53. Charles P. Barrett, Plff in Error, vs. The United States. — On motion of Mr. Solicitor General Richards, it is ordered by the Court that this cause be, and the same is hereby, passed for argument with Case No. 175 [illegible]

54. The United States, Appellant, vs. John D. Kennedy. — Appeal from the Court of Claims.

regular order, and a stipulation to dismiss this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

296. The United States, Appellant, v. Edgar M. Wilson, Adm'r &c. On motion of Mr. Solicitor General Richards, It is ordered by the Court that the order assigning this cause for argument with No. 511 be, and the same is hereby, vacated and set aside.

26. Edward Hodgson, Plff in Error, v. The State of Vermont. The argument of this cause was continued by Mr. Frank L. Fish, of counsel for the defendant in error, and concluded by Mr. E. J. Phelps, of counsel for the plaintiff in error.

31. A. B. Roff, Plff in Error, v. Louisa Burney, Adm'x &c. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. C. L. Herbert, of counsel for the plaintiff in error.

38. The Central National Bank of Boston et al, vs. Pff's in Error, Aaron R. Stevens et al

The argument of this Cause was commenced by Wm. Charles E. Paterson, of Counsel for the Plaintiffs in error, Continued by Wm Edward Winslow Paige, of Counsel for the defendants in error, and Concluded by Wm. H. S. B. Hopkins, of Counsel for the Plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 18th, 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. J. M. Wilson it is ordered that Edgar P. Rucker, Esquire, of Welch, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Carlisle it is ordered that William C. Fitts, Esquire, of Tuscaloosa, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Herbert it is ordered that Howard A.

practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Lamar it is ordered that Thomas M. Shackleford and and Noah Brooks Kent Pettingill, Esquires, of Dundee State of Illinois be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. E. Cotter it is ordered that Asa P. French and Francis P. Murphy, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Whitelock it is ordered that Edmund Randolph Williams, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that John H. Chartel, Esquire, of Guthrie, Territory of Oklahoma be admitted to practice as an attorney and Counsellor of this Court and he was sworn

On motion first made to the Court in this behalf by Mr. John C. Chaney it is ordered that John R. Herndon, Esquire, of Jacksonville, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. C. Krauthoff it is ordered that Robert E. Ball, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Eloisa L. Bergere, for herself and the other heirs of Manuel Antonio Otero and Miguel Antonio Otero,

43 vs. Appellant;

The United States et al.

The United States,

116 vs. Appellant;

Eloisa L. Bergere, for herself and the other heirs of Manuel Antonio Otero and Miguel Antonio Otero.

Appeals from the Court of Private Land Claims.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, on appeal and cross-appeal, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be and the

same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Private Land Claims with directions to enter a decree in conformity with the opinion of this Court.

Per Mr. Justice Peckham.

33. The Alaska Treadwell Gold Mining Company, Appellant, v. N. Hoff in Error, Patrick McFarlane. In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgments of the said United States Circuit Court of Appeals and of the District Court of the United States for the District of Alaska in this cause be, and the same are, hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said District Court with directions to set aside the verdict and to order a new trial.

Per Mr. Justice Gray.

Dissenting:
Mr. Chief Justice Fuller and
Mr. Justice Harlan.

41. Benton Turner, Plff in Error, vs. The People of the State of New York. In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

71. The Southern Pacific Railroad Company et al., Appellants, vs. The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed in all respects as to the Southern Pacific Railroad Company, as well as to the trustees in the mortgage executed by that Company, and also as to the other defendants, subject, however,

Circuit Court to a final decree as to these defendants; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of California.

Per Mr. Justice Strong.

108 of Oct. T. 1876. The City of New Orleans et al. v. The Citizens Bank of Louisiana. Appellants.

183 of Oct. T. 1876. The State of Louisiana ex rel. The Citizens Bank of Louisiana v. The Board of Assessors for the Parish of Orleans et al. Appellants.

It is ordered, by the Court that the orders entered in these causes staying the judgments, and mandates be, and the same is hereby, vacated and set aside.

Per Mr. Chief Justice Waite.

157. Henry C. King, v. M. B. Mullins et al. Appellants.

It is ordered by the Court that the submission of this cause be, and the same is hereby, set aside and the cause restored to the docket for oral argument before a full bench.

Per Mr. Chief Justice Waite.

769. The Village of Norwood, v. Ellen R. Baker et al. Appellants.

On consideration of the motion to advance

here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

275. The California National Bank of San Francisco, Plff in Error, v. Richard P. Thomas.

276. The California National Bank of San Francisco, Plff in Error, v. T. K. Stabler, et al.

It is ordered, by the Court that the further consideration of the motions to dismiss in these cases be postponed until the hearing of the cases on their merits.

Per Mr. Chief Justice Fuller.

323. The Capital National Bank of Lincoln, Neb., et al., Plffs in Error, v. The Coldwater National Bank of Coldwater Mich.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

371. Thomas F. Peckham, Petitioner, vs. The Wheeler-Bliss Manufacturing Company. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby denied.

Mr. Chief Justice Fuller

374. Henry C. King, Petitioner, vs. Julius C. Williamson et al. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Mr. Chief Justice Fuller

380. American Grocery Company, Petitioner, vs. Alexis Godillot, Jr. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

382. National Accident Society, Petitioner, vs. Fannie Spiro. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Ex parte. In the matter of The Board of Supervisors of Presque Isle County, Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered

115. William A. Clark, Pltff in Error
vs.
William F. Filgent et al. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

155. The Union Mutual Life Insurance Company, Pltff in Error
vs.
Elizabeth Hackhoff. It is ordered by the Court that the further consideration of the motions to dismiss, or affirm in this cause be postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

1144. E. M. Galvin et al., Pltff in Error
vs.
E. F. Palmer. On consideration of the motion to dismiss in this cause and of the argument of counsel in support of the same, It is ordered by the Court that said motion be, and the same is hereby, denied, for want of a printed copy of the record.

Per Mr. Chief Justice Fuller.

312. William A. Hall, Pltff in Error
vs.
The United States. On consideration of the motion to advance this cause, It is ordered by

motion be, and the same is hereby, granted and the cause assigned for argument on Monday, November 1st next.

Per Mr. Chief Justice Fuller.

359. Charles H. Nordstrom, Appellant, v. William H. Moyer, Sheriff, et al. On consideration of the motion for leave to prosecute this cause in forma pauperis, It is ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

376. Elizabeth Nobles, by her next friend W. W. Vaughn, Plff in Err, v. The State of Georgia. On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, November 8th next.

Per Mr. Chief Justice Fuller.

436. The Houston & Texas Central Railway Co., et al., Plff in Err, v. The State of Texas. 421. The Galveston, Harrisburg & San Antonio Railway Co., et al., Plff in Err, v. The State of Texas. On consideration of the motions to advance these causes, It is ordered by the Court that said motions be, and the same are hereby,

cases assigned for argument as one case, on Monday, January 3d next after the cases heretofore assigned for that day.

Per M. Chief Justice Fuller.

405. The Continental Trust Company of New York, Trustee, Petitioner, vs. The American Steel Company. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per M. Chief Justice Fuller.

415. Benjamin Hawker, Plff in Error, vs. The People of the State of New York. On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, November 5th, after the cases heretofore assigned for that day.

Per M. Chief Justice Fuller.

474. N. A. T. Durant vs. N. E. Hale, Warden &c. Appellant; } On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument for Monday, November 5th next.

Per Mr. Chief Justice Waite.

425. Josephine C. Drake et al., Executors &c., vs. Daniel A. Kochersperger, County Treasurer &c. } Plffs in Error, } On consideration of the motion to advance, this cause, It is ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument, as the case, on

463. Elizabeth E. Sawyer & Charles A. Sawyer, Executors &c., et al., vs. Daniel A. Kochersperger, County Treasurer &c. } Plffs in Error,

464. Jessie Norton Torrence Magoun, vs. Illinois Trust & Savings Bank, Executor &c. et al. } Appellant,

Monday, January 10th next.

Per Mr. Chief Justice Waite.

468. James C. Reely et al., vs. Sidney Newman, Sr. } Petitioners. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

herein to the United States Circuit Court of Appeals, for the Fifth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

469. Frank A. Pierce, v. The Tennessee Coal, Iron & Railroad Company. On petition for a writ of Certiorari to the United States Circuit Court of Appeals, for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

473. The Aultman & Taylor Company, v. Frederick J. Syme. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of as

that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

474. The Board of County Commissioners of the County of Lake, Col., Petitioners, vs. Harry A. Gadley. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

475. The Board of County Commissioners of the County of Gunnison, Col., Petitioners, vs. E. A. Rollins & Sons. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

James S. Valk, Survivor of the Copartnership of the late Firm of Moritz Valk & Brother,
13. vs. Appellant,
The United States and The Rogue River Indians

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Chief Justice Waite

Willis Thorp,
270. vs. Appellee,
S. A. Bonnifield and John S. Reed,

On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question whether the said Circuit Court of Appeals has jurisdiction of this case, must be answered in the negative. It is therefore now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals

Per Mr. Chief Justice Waite

3, Original, Oct. T. 1894. The United States, Complainant, vs. The State of [illegible]

On motion of Mr. Solicitor General Richards leave is hereby granted to withdraw from the files certain exhibits.

164. William P. Craighill et al., Appellants, vs. Avarilla Lambert et al.

Mr. Solicitor General Richards suggested to the Court that William P. Craighill, and Charles F. Powell are no longer members of the Commission to select land for Rock Creek Park and moved the Court to substitute John M. Wilson and William M. Black, their successors, as parties appellants herein. Whereupon, It is ordered by the Court that the said John M. Wilson and William M. Black, as members of said Commission, be, and they are hereby, made parties appellants in this cause.

405. The United States et al., Appellants, vs. Simeon Kemp.

Mr. Solicitor General Richards submitted to the consideration of the Court a motion to advance this cause.

379. L. N. Myers, Petitioner, vs. Richmond Traction Co. et al.

This cause was submitted to the consideration of the Court on the record and print-

of counsel for the petitioner, and Mr. W. H. Henry and Mr. Edmund Randolph Robinson, of counsel for the respondent.

481. The J. J. Warren Company, vs. Petitioner. Henry M. Rosenblatt. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Samuel S. Fisher, in support of the same.

482. George L. Whitman, vs. Petitioner. The National Bank of Oxford. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William G. Wilson and Mr. Joseph H. Choate, in support of the same, and Mr. William B. Hornblower and Mr. Howard A. Taylor, in opposition thereto.

477. The Rocker Spring Co., vs. Petitioner. George A. Thomas. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Ephraim Banning and Mr. Thomas A. Banning, in support of the same.

106. The New York Indians, Appellants, vs. The United States. On motion of Mr. Lucien Miller, of Counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, January 3d next, after the cases heretofore assigned for that day.

78. J. B. Cessna et al., Appellants, vs. The United States et al. On motion of Mr. A. B. Browne, in behalf of Counsel for the appellants, It is ordered by the Court that this cause be, and the same is, hereby, assigned for argument on Monday, January 3d next, after the cases heretofore assigned, for that day.

Ex parte. In the matter of The Tampa Suburban Railroad Company, Petitioner. Mr. Thomas M. Shackleford, of Counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of Certiorari herein.

451. The Lackawanna Iron & Coal Co., et al., Petitioners, vs. The Farmers' Loan & Trust Co., et al. The petition for a writ of Certiorari herein was submitted to the Con-

Counsel on printed arguments by Mr. J. Hubley Ashton, Mr. E. H. Farrar, Mr. B. F. Jonas and Mr. E. B. Mullechnill in support of the same, and Mr. L. C. Campbell, in opposition thereto.

485. William Roemer vs. H. B. Fiddick & Co. Petitioner, The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. William Roemer in propria persona by special leave of the Court.

383. Edward M. Willis et al vs. The Eastern Trust & Banking Company, Petitioners, This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Calderon Carlisle and Mr. William L. Ormond, of counsel for the petitioners and Mr. B. F. Leighton, of counsel for the respondents.

303. The United States, Appt, vs. Daniel Van Ilderstine,
334. The United States, Appt, vs. William F. Ingram.
Mr. Harvey Spalding, of counsel for the appellees, submitted to the consideration of the Court motions to advance these causes.

430. The Central Loan & Trust Co., vs. Effie Ewing et al, Appts. The motion to dismiss in this cause was,

sideration of the Court on the record and printed arguments by Mr. J. W. Shartel and Mr. Henry E. Asp, in support of the same, and Mr. William A. Williams, in opposition thereto.

402. James T. Simms, Appellant, v. Hannah S. Simms. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. William A. Barnes, in support of the same, and Mr. J. A. Garland and Mr. R. C. Garland, in opposition thereto.

403. A. Backus, Jr., & Sons et al., Plffs in Error, v. The Fort Street Union Depot Co. On motion of Mr. John G. Carlisle, in behalf of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provision of section 9 of Rule 26.

404. The Pittsburg, Cincinnati, Chicago & St. Louis Railway Co., Appellant, v. The Board of Public Works of the State of West Virginia. It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, January 3d next after the cases heretofore assigned for that day.

150. Lowry H. Haines, Pl'ff in Error, v. The United States. On motion of Mr. Assistant Attorney General Boyd, It is ordered by the Court that this cause be, and the same is hereby, passed pursuant to the provisions of section 9 of Rule 24.

3110. Thomas Brann, Pl'ff in Error, v. The United States. On motion of Mr. J. E. Cotter, of counsel for the plaintiff in error, the hour of additional is hereby allowed counsel for the plaintiff in error in the argument of this cause.

3110. Thomas Brann, Pl'ff in Error, v. The United States. The argument of this cause was commenced by Mr. Asa P. French, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 19th, 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. William A. Sutton it is ordered that Albert A. Washburn, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

117. William Huron, Jr., Trustee, &c., Appellants, vs. The United States et al. On motion of Mr. Solicitor General Richards, it is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, January 3d next, after the cases heretofore assigned for that day.

Tuesday, October 19th, 1897, Continued.

168. The Missouri, Kansas & Texas Railway Co. v. Riffin Bros. and Charles Stabler, Trustee. It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, January 3d next, after the cases heretofore assigned for that day.

340. Thomas Bram v. The United States. The argument of this cause was continued by Mr. Assistant Attorney General Boyd, of counsel for the defendant in error, and concluded by Mr. James E. Carter, of counsel for the plaintiff in error.

118. Rafael Maria de Castillo, v. Walter L. McCornick et al. The argument of this cause was commenced by Mr. William Hinan Hall, of counsel for the plaintiff in error, and continued by Mr. Zach. Spalding, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 20th, 1897.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Allen R. English, Esquire, of Tombstone, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Carlisle it is ordered that S. D. Rouse, Esquire, of Covington, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

479. J. C. Anderson et al., Appellants, vs. The United States. Mr. Robert E. Bell for the appellants. Counsel for the appellee

consideration of the Court a motion for an order on the United States Circuit Court of Appeals for the Eighth Circuit to transmit the entire record in this cause.)

58. Mary A. Kilkenny et al. vs. Plff in Error, The United States. Mr. Assistant Attorney General Boyd, of counsel for the defendant in error, submitted to the consideration of the Court a confession of error herein.

145. Rafael Maria Del Castillo, vs. Plff in Error, Walter L. McCormick et al. The argument of this cause was continued by Mr. Zach. Spearing, of counsel for the defendants in error and concluded by Mr. William Hinans Hall, of counsel for the plaintiff in error.

59. Peter Deser, vs. Plff in Error, Marie Rose Jenny et al. This cause was argued by Mr. George William Moore, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. George Gordon, of counsel for the defendants in error.

56. Richard A. Fletcher, Plff in Error, vs. The Baltimore & Potomac Railroad Company, Plaintiff in Error. The argument of this cause was commenced by Mr. Franklin A. Mackey, of Counsel for the

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John G. Carlisle it is ordered that John A. Hall, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

56. Richard A. Fletcher, Plaintiff in Error, vs. The Baltimore & Potomac Railroad Company.

Reargument of this cause was continued by Mr. William Henry Brown of counsel for the defendant in error, and concluded by Mr. Franklin H. Mackey, of counsel for the plaintiff in error.

261. Albert F. Holden, vs. Plff in Error, Harry Hardy, Sheriff &c. — These cases were argued by Mr. J. M. Wilson, of counsel, for the plaintiff in error, and Mr. Charles J. Peace, of counsel for the defendant in error.

264. Albert F. Holden, vs. Plff in Error, Harry Hardy, Sheriff &c. — "

266. Richard S. Williams, Plff in Error, vs. The United States.

267. Richard S. Williams, Plff in Error, vs. The United States.

Ordered by the Court that these causes be passed, until Monday next.

287. A. M. Thomas et al., vs. Appellants, Gay & Reed et al.; — On motion of Mr. Henry E. Ide, of Counsel, it is ordered by the Court that two Counsel be allowed to argue these causes orally on behalf of Gay & Reed et al.

439. Gay & Reed et al., vs. Appellants, A. M. Thomas et al.

287. A. M. Thomas et al., vs. Appellants, Gay & Reed, et al.; — The argument of these causes was commenced by Mr. Henry E. Ide of Counsel for Gay & Reed, et al. and continued by Mr. J. W. Shaffer, of Counsel for Gay & Reed et al.

439. Gay & Reed et al., vs. Appellants, A. M. Thomas et al.

Proclamation being made the Court is adjourned until

Friday, October 22d, 1897.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John N. Hare it is ordered that Philip Williams Averill, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an attorney, and counsellor of this Court and he was sworn accordingly.

Ira Corley and Edward L. Parmenter, Plaintiffs in Error, vs. Roland C. Mitchell, James M. Andrew and William A. Andrew, Defendants in Error. } In Error to the Supreme Court of the State of Michigan.

65.

This cause having been called for hearing in its

that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

287. A. M. Thomas et al., Appellants, vs. Gay & Reed et al. } The argument of these causes was concluded by Mr. J. H. Shartel, of counsel for Gay & Reed et al., and the cause was submitted on a printed argument by

434. Gay & Reed et al., Appellants, vs. A. M. Thomas et al. }

Mr. J. F. King, of counsel for Thomas et al. and leave granted to Mr. A. S. Cunningham to file a printed brief on behalf of The Territory of Oklahoma within twenty days and to counsel for Gay & Reed et al., to file a reply thereto within ten days thereafter.

353. The Barrow Steamship Co., Plff in Error, vs. Michael Kane. } This cause was argued by Mr. Ezek Cowen, of counsel for the plaintiff in error, and Mr. F. K. Pendleton, of counsel for the defendant in error.

36. George F. Underhill, Plaintiff in Error, vs. Jose Manuel Hernandez. The argument of this cause was commenced by Mr. Walter S. Logan, of counsel for the plaintiff in error and continued by Mr. Frederic R. Coudert, Jr., of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that Rufus N. Baker, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Butterworth it is ordered that William C. Wells, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that Julius R. Kline, Esquire, of Chicago, State of Illinois,

sellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. D. Luckett it is ordered that Oscar H. Shuler, Esquire, of West Superior, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States, Appellant,
vs. On a certificate from the United States
35. Simon Goldenberg et al., Composing the Copartnership of Goldenberg Brothers & Company. Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Brown.

34. William H. Brauer and Frederick C. Brauer, copartners, doing business under the firm name of W. H. Brauer & Company, and The Reliance Marine Insurance Company, Limited, of London, v. The Appellants. Compania de Navigacion La Flecha. Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Gray.

(Announced by Mr. Chief Justice Fuller.)

466. Henry Craemer, Appellant, v. The State of Washington and W. H. Morgan, Sheriff of King County, Washington. Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

351. Thomas M. Adams and E. C. Means, Administrators &c., Petitioners v. Benjamin R. Cowen, Exam'r U. S. Pat. Office, and William A. Seaver, Solicitor.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

460. Augustus E. Rondot, Petitioner v. The Township of Raymond.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had as well in sup[port] of

Court that said petition be, and the same is hereby, denied.

- per Mr. Chief Justice Fuller.

1403. The United States, Appellant, vs. Daniel Van Slyck et al.
1234. The United States, Appellant, vs. William F. Ingram.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

- per Mr. Chief Justice Fuller.

1402. James F. Simms, Appellant, vs. Hannah F. Simms

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be postponed until the hearing of the cause on its merits.

- per Mr. Chief Justice Fuller.

1405. The United States, etal., Appellants, vs. Simeon Kemp.

On consideration of the motion to advance this cause, It is ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 6th next after the cases heretofore assigned for that day.

- per Mr. Chief Justice Fuller.

430. The Central Loan & Trust Co., vs. The Campbell Commission Co. — It is ordered by the Court that the further consideration of the motion to dismiss in this cause be postponed until the hearing of the cause on the merits.

(Per M. Chief Justice Fuller.)

451. The Lackawanna Iron & Coal Company et al., Petitioners, vs. The Farmers' Loan & Trust Company et al. — On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

(Per M. Chief Justice Fuller.)

477. The Rocker Spring Company, Petitioner, vs. George A. Thomas — On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Cir.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument

here ordered by the Court that said petition be, and the same is hereby, denied.

- per Mr. Chief Justice Fuller.

481. The J. J. Warren Company, Petitioner, vs. Harry M. Rosenblatt. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

482. George L. Whitman, Petitioner, vs. The National Bank of Oxford. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

485. William Roemer, Petitioner, vs. F. B. Peddle & Company. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of The Tampa Suburban Railroad Company, Petitioner. On consideration of the motion for leave to file a petition for a writ of certiorari herein, It is now here ordered by the Court that cause be shown by the Circuit Court of the United States for the Southern District of Florida before this Court at Washington on Monday November 29th, 1897, at 12 o'clock noon of that day or as soon thereafter as counsel can be heard, why said petition should not be allowed and ordered.

Per Mr. Chief Justice Fuller.

479. J. C. Anderson et al., Appellants, vs. The United States. On consideration of the motion for an order on the United States

peals for the Eighth Circuit to transmit the entire record in this cause; It is ordered by the Court that a writ of certiorari, to bring up said record be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

58. Mary A. Kellenring, George Washington and Richard Cathcart, vs. Affs in Error, The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and on a confession of errors by counsel for the defendant in error having been filed, Therefore in pursuance of said confession It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity to law.

Per Mr. Chief Justice Fuller.

34. A. B. Roff, vs. Affs in Error, Louisa Burney, exec'trix. It is ordered by the Court that a writ of certiorari issue herein to bring up Exhibits A and

52. Peter Defer, Plff in Err, v. Marie Rose De May and Edward B. Bagand. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

105. The United States, Appellant, v. The Commissioners of the Sinking Fund of the City of Louisville, et al. On motion of Mr. Solicitor General, Richards, It is ordered by the Court that this cause be, and the same is hereby, passed to be heard with cases No. 107, as one case.

401. The United States, Plff in Err, v. Walter S. Fitzhugh. Mr. Solicitor General Richards submitted to the consideration of the Court a motion to advance this cause.

79. The Franklin Sugar Refining Co, Appellant, vs. The Steamship "Silvia" &c. and Climaco Calderon, Appellant, vs. The Atlas Steamship Co Limited.

On motion of Mr. Everett P. Wheeler, of counsel for The Atlas Steamship Co, Limited, It is ordered by the Court that these cases be, and they are hereby, assigned for argument on Monday, January 3d next, after case No. 45 and that time be granted him to file briefs in cases Nos. 45 and 79.

483. N. H. Crosley, Master &c, Petitioner, vs. George Taylor, Master &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Floyd Hughes, in support of the same, and Mr. Robert M. Hughes, in opposition thereto.

492. John H. Hall, owner of the Schooner "John H. Hall Jr." et al, Petitioners vs. The Steamship "Rene" &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George Putnam Adams, in support of the same, and Mr. Everett P. Wheeler, in opposition thereto.

285. Annie E. Barbour, Plff in Error, vs. David Moore, Frances M. Moore, Mary A. Johnson et al. In Error to the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. A. S. Worthington of Counsel for defendants in error, and a stipulation of Counsel to dismiss the writ of error in this cause having been filed. Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

285. Annie E. Barbour, Plff in Error, vs. David Moore et al. On motion of Mr. A. S. Worthington, of Counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandate in this cause.

427. The Highland Avenue & Belt Railroad Co., Appellants, vs. Columbian Exposition &c. The motion to advance this cause is now submitted to the consideration of the Court by Mr. Samuel A. Putman and Mr. A. P. London, in support of the same, and Mr. H. D. Hoskins, in opposition thereto.

253. The Charleston & South Side Bridge Co., vs. Appellant, The State of West Virginia et al. In motion to dismiss in this cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. H. S. Laidley, in support of the same, and Mr. Malcolm Jackson, in opposition thereto.

254. Virginia A. Grafton, Executrix, vs. Appellant, Halbert E. Paine. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. D. Dunidge and Mr. C. A. Brandenburg, in support of the same, and Mr. J. M. Wilson and Mr. L. E. Payson, in opposition thereto.

255. J. H. Bull, vs. Appellant, Charles E. Beckerman, Frederick S. Easton and Frank A. Day. Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the

36. George F. Underhill, vs. Plff in Error, Jose Manuel Hernandez — The argument of this cause was continued by Mr. Frederic R. Coudert Jr., of Counsel for the defendant in error and concluded by Mr. Walter S. Logan, of Counsel for the plaintiff in error.

37. The Michigan Land & Lumber Co, Limited, vs. Plff in Error, Charles A. Rust, Receiver — The argument of this cause was commenced by Mr. F. C. Robeson, of Counsel for the plaintiff in error, and continued by Mr. Burton Hanchett, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned, until tomorrow at Twelve o'clock.

Tuesday, October 16th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Walter D. Logan it is ordered that Donald McLean, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. D. Blair it is ordered that Fleming G. du Bignon, Esquire, of Savannah, State of Georgia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that C. N. Sterry, Esquire,

practice as an attorney and counsellor of this Court and have been accordingly.

946. The United States, Appellant
vs.
Edgar M. Wilson, Admr &c

This cause was submitted to the Consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by The Attorney General and Mr. Peter Brannigan, of Counsel for the appellant, and Mr. John D. Mosby, of Counsel for the appellee.

57. The Michigan Land & Lumber Co, Limited,
vs. Plff in Error,
Charles A. Rust Deft in Err

The argument of this cause was continued by Mr. Ashley Pond, of Counsel for the defendant in error, and concluded by Mr. A. B. Browne, of Counsel for the plaintiff in error.

54. Margaret A. Muse et al.,
vs. Plffs in Error,
The Arlington Hotel Co

The argument of this cause was commenced by Mr. John G. Carlisle, of Counsel for the plaintiffs in error, and continued by Mr. G. B. Rose, of Counsel for the defendant in error, and Mr. John G. Carlisle, of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

74. Louise J. Purdy et al., Appellants, vs. The United States. Appeal from the Court of Private Land Claims.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

54. Margaret A. Muse et al., Pltffs in Error, vs. The Arlington Hotel Co. Defendant in Error. The argument of this cause was concluded by Mr. John G. Carlisle, of counsel for the plaintiffs in error.

266. Richard S. Williams, Pltff in Error, vs. The United States.
267. Richard S. Williams, Pltff in Error, vs. The United States.

These cases were argued by Mr. George D. Collins, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Boyd, of counsel for the defendant in error.

60. Robert S. Reese, Pltff in Error, vs. James E. Oliver, Def't in Error. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. F. B. Crosthwaite, of counsel for the plaintiff in error and appellant. No brief filed on behalf of defendant in error and appellee.

61. The Southern Express Co., Pltff in Error, vs. The Commonwealth of Virginia at the relation of John Bagwell.
62. The Southern Express Co., Pltff in Error, vs. The Commonwealth of Virginia.

These cases were argued by Mr. F. S. Blair, of counsel

63. The Southern Express Co., vs. Kiff in Error, The Commonwealth of Virginia at the relation of M. C. McGregor.

64. The Southern Express Co., vs. Kiff in Error, The Commonwealth of Virginia at the relation of D. H. McGregor.

65. The Southern Express Co., vs. Kiff in Error, The Commonwealth of Virginia at the relation of James A. Walker.

Error, and Mr. James A. Walker, of Counsel for the defendants in error.

66. The Canton Insurance Company, Limited, et al., vs. Appellants, John Mac Intyre, Jr., et al.

67. John Mac Intyre, Jr., et al., vs. Appellants, The Canton Insurance Company, Limited, et al.

On motion of Mr. J. Parker Kirlin, of Counsel, It is ordered by the Court that two hours additional time be allowed, for the argument of these causes.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

81. James Addison Penultaremis, Appellant, vs. The United States. Appeal from the Supreme Court of the Territory of New Mexico.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

The Canton Insurance Company, Limited, et al.,
66. vs. Appellants,
John MacIntyre, Sr. et al.
John MacIntyre, Jr., et al.,
67. vs. Appellants.
The Canton Insurance Company, Limited, et al.

The argument of these cases was commenced by Mr. J. Parker Kirlin, of counsel for the claimant of the Steamship "Plymothian", and continued by Mr. Robert M. Hughes, of counsel for the claimants of the Steamship "Victory", and Mr. Wilhelmus Mynderse, of counsel for The Canton Insurance Company, Limited.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. S. M. Stockslager it is ordered that Thomas F. O'Hair, Esquire, of Wheaton, State of Minnesota, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

376. Elizabeth Nobles by her next friend, H. H. Vaughn, Plff in Error, vs. The State of Georgia

M. H. C. Glenn, of Counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to proceed in forma pauperis and that the record be printed,

66. The Canton Insurance Company, Limited, et al., vs. Appellants, John Mac Intyre, Jr., et al.

67. John Mac Intyre, Jr., et al., vs. Appellants, The Canton Insurance Company, Limited, et al.

The argument of these cases was continued by Mr. Wilhelmus Meyndert, of counsel for The Canton Insurance Company, Limited, and Mr. Robert M. Hughes, of counsel for the claimants of the Steamship "Victory" and concluded by Mr. Joseph Hughes, of counsel, for the claimant of the Steamship "Pyrmethian".

64. The Savings & Loan Society, vs. Appellant, Multnomah County et al.

This cause was argued by Mr. Milton A. Smith, of counsel for the appellant, and Mr. John A. Hall, of counsel for the appellees.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that A. A. Brockhoven, Esquire, of Albany, State of New York, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Hy: Hyde Douglas, Esquire, of Hagerstown, State of Maryland, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

by Mr. J. K. McCammon it is ordered that Hallen F. Rogers, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

56. Richard A. Fletcher, Plaintiff in Error, vs. The Baltimore & Potomac Railroad Company. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and to remand the cause to that Court with directions to grant a new trial.

Per Mr. Justice Peckham.

18. Lewis Miller, Plff in Error, vs. The Cornwall Railroad Company. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

376. Elizabeth Nobles, by her next friend, H. H. Baughn, Plff in Error, vs. The State of Georgia. On consideration of the motion for leave to proceed in forma pauperis and that the record be printed at public expense, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

401. The United States, Plff in Error, vs. Walter S. Hazeltine. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause advanced accordingly, the 33rd rule to be complied with as to printing.

427 The Highland Avenue and Belt Railroad Company, Appellant, vs. Columbian Equipment Co.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause advanced as under the 3rd Rule, to be submitted on printed briefs.

Per Mr. Chief Justice Fuller.

483 W. W. Crossley, Master of the Schooner "Albert Morgan," Petitioner, vs. George Taylor, Master of the Steamtug "Hercules."

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

John H. Hall, Owner of the Schooner "John H. Hall Jr." etal, Petitioners, vs. The Steamship "Rhine" her Engines &c. The Atlas Steamship Company, Limited, Claimant

No. 492. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel thereupon had as well in support of as against the same, it is now ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Virginia A. Grafton, Executrix of Benjamin F. Grafton, deceased, Appellant, vs. Halbert E. Paine

No. 415. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and on a motion to dismiss which was argued by counsel. On consideration whereof it is now ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief

253 The Charleston & South Side Bridge Company, Plff in Error, vs. The State of West Virginia, The County Court of Kanawha County, and The District of Charleston. } In Error to the Supreme Court of Appeals of the State of West Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

60. Robert S. Reaves, Plff in Error, vs. James E. Oliver. } In Error to & Appeal from the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error and appeal in this cause be, and the same are hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

61. The Southern Express Company, Plff in Error, vs. The Commonwealth of Virginia at the relation of John Ringgold. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is, hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

Per Mr. Chief Justice Fuller.

62. The Southern Express Company, Plff in Error, vs. The Commonwealth of Virginia at the relation of Samuel Tindall. In Error to the Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby,

at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

(per Mr. Chief Justice Fuller.)

63. The Southern Express Company v. Iliff in Error, The Commonwealth of Virginia at the relation of M. G. McElligan. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

(per Mr. Chief Justice Fuller.)

64. The Southern Express Company, v. Iliff in Error, The Commonwealth of Virginia at the relation of J. H. McGuire et al. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered

the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

Per Mr. Chief Justice Fuller.

65. The Southern Express Company, Plff in Error, vs. The Commonwealth of Virginia at the relation &c. Def't in Error. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

Per Mr. Chief Justice Fuller.

496. Pullman's Palace Car Co., Petitioner, vs. The Central Transportation Co. The petition for a writ of Certiorari, herein was submitted to the consideration of the Court on printed arguments by Mr. E. S. Isham, Mr. Joseph H. Choate and Mr. A. H. Winterstein, in

and Mr. F. P. Prichard, in opposition thereto.

1187. Samuel J. Ritchie, vs. Petitioners; James B. McMullen et al. The petition for a writ of certiorari, herein was submitted to the consideration of the Court on a printed argument by Mr. J. M. Wilson and Mr. Benjamin Butterworth, in support of the same.

429. H. A. P. Durrant, vs. Appellant, H. E. Hale, Warden &c. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. W. F. Fitzgerald and Mr. T. C. Catchings, in support of the same, and Mr. A. L. Hunt and Mr. F. P. Dewees, in opposition thereto.

470. George J. Crossley et al., vs. Appellants, The State of California et al. And 480. Benjamin L. Hill, vs. Appellant, H. E. Hale, Warden &c. Mr. W. F. Fitzgerald, of counsel for the appellees, submitted to the consideration of the Court motions to dismiss these cases.

Harvey Allender, vs. Appellant, H. E. Hale, Warden &c. Mr. W. F. Fitzgerald, of counsel for the appellee, submitted to

the Court a motion to docket and dismiss this cause pursuant to Rule 9.

493. The Mercantile Trust Co., vs. Petitioner, The Farmers' Loan & Trust Co., Trustee, et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. B. Browne and Mr. L. F. Parker, in support of the same, and Mr. John C. Noble, Mr. Georg. A. Shields, and Mr. George Zabriskie, in opposition thereto.

312. William R. Hall, vs. Plff in Error, The United States. On motion of Mr. H. J. S. Curtis, in behalf of counsel for the Plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, November 8th.

494. The Western Assurance Company of Toronto, vs. Petitioner, The J. H. Mohlman Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. H. Candozo, in support of the same, and Mr. Theodore Cleveland, in opposition thereto.

190. The Green Bay & Mississippi Canal Company, vs. Plff in Error, The Fulton Paper Co, Limited, et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. John D. Fish, Mr. David S. Otway and Mr. A. L. Cary, in support of the same, and Mr. E. Mariner and Mr. B. J. Stevens, in opposition thereto.

On motion of Mr. J. K. Rellington, in behalf of counsel for the plaintiff in error leave was granted to file and submit a certified copy of brief and motion filed herein in the Supreme Court of the State of Wisconsin.

370. William Woodward Baldwin, Guardian &c, vs. Plff in Error, The County Commissioners of Washington County et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Hugh Lloyd Douglas, in support of the same, and Mr. Charles A. Boston, in opposition thereto.

86. George Schollenbergen, vs. Plff in Error, The Commonwealth of

On motion of Mr. Francis K. Cary, in behalf of coun-

87. George E. Paul, Pl'ff in Error, vs. The Commonwealth of Pennsylvania. 88. J. Otis Paul, Pl'ff in Error, vs. The Commonwealth of Pennsylvania. 17. Clarence E. Collins, Pl'ff in Error, vs. The State of New Hampshire.

tiffs in error. It is ordered by the Court that these cases, be, and they are hereby, assigned for argument on Monday, March 7th, 1876.

70. Louis B. Adams et al., Appellants, vs. Hiram H. Henderson et al.

This cause was argued by Mr. J. M. Wilson, of Counsel for the appellants, and submitted on a printed argument by Mr. C. C. Richards, of Counsel, for the appellees.

73. The Chicago, Milwaukee & St. Paul Railway Co., Pl'ff in Error, vs. Gabriel L. Dickinson.

This cause was argued by Mr. George E. Clarke, of Counsel for the plaintiff in error, and Mr. S. M. Stockslager, of Counsel for the defendant in error.

76. George P. Helmore et al., Pl'ffs in Error vs. David Burns et al.

This cause was submitted to the.

the Court on the record and a printed argument by Mr. Charles Seymour, of Counsel for the plaintiffs in error. No Counsel appeared for the defendants in error.

77. The United States, Appellant, vs. Frank B. Crosthwait. This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Pradt, of Counsel for the appellant, and Mr. John C. Cheney and Mr. J. R. Garrison, of Counsel for the appellee.

80. William F. Holtzman, Plff in Error, vs. William G. Douglass et al. This cause was argued by Mr. A. A. Birney, of Counsel for the plaintiff in error, and Mr. Job Barnard, of Counsel for the defendants in error.

82. John W. Warner, Adm'r &c., Plff in Error, vs. The Baltimore & Ohio R. R. Co. The argument of this cause was commenced by Mr. Rudolph Kaufman, of Counsel for the plaintiff in error, and continued by Mr. George E. Hamilton, of Counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Knight, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

502. Harvey Allender, Appellant, v. W. E. Hale, Warden of the State Prison of California at San Quentin, Marin County, Cal. — M. H. T. Fitzgerald, of Counsel for the appellee, having filed in open Court the following certificate, to wit:

"In the Circuit Court of the United States, Ninth Judicial Circuit, Northern District of California.

In the matter of the petition of Thomas Allender, on behalf of Harvey Allender, for a writ of Habeas Corpus } No. 13,317.

I, Southard Hoffman, Clerk of the Circuit Court

Judicial Circuit in and for the Northern District of California, do hereby certify that, upon the 2nd day of September 1897, the petition of Harvey Allender for an appeal from the order made and entered in said Circuit Court on said 2nd day of September 1897, denying the petition on behalf of said Harvey Allender for a writ of habeas corpus, was filed herein, and that an assignment of errors to be relied upon on said appeal was filed herein on said day.

I further certify that an order was made and entered by said Circuit Court on said 2nd day of September 1897, fixing the amount of the bond for costs upon said appeal at the sum of $500.

I further certify, that a bond in said sum of $500. was approved and filed herein on said 2nd day of September 1897, and that a citation was thereupon duly issued and signed upon said day by the Honorable William H. Morrow, Circuit Judge, directed to W. E. Hale, Warden of the State Prison, for the State of California, at San Quentin, Marin County, in said State, citing and admonishing him to be and appear at the Supreme Court of the United States to be held at the City of Washington, District of Columbia, on the 25th day of October, A.D. 1897.

In witness whereof, I have hereunto set my hand, and affixed the seal of said Circuit Court, at the City of San Francisco, this 2nd

(Seal)

of October, A.D. 1897.

Bouchard Hoffman
Clerk U.S. Circuit Court,
Ninth Judicial Circuit,
Northern District of California"

moved the Court to docket and dismiss this cause, pursuant to the 4th rule: and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the United States for the Northern District of California be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

Elizabeth Holzel et al., Appellants,
vs.
The Minnesota Mining & Manufacturing Co. et al.

No. 41.

On motion of Mr. Philip Williams, Jr., of counsel, for the appellants,

It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 4 of Rule 26.

87. John W. Hauner, Admr &c., vs. Plff in Error, The Baltimore & Ohio R. R. Co. — The argument of this Cause was continued by Mr. George E. Hamilton of Counsel for the defendant in error, and concluded by Mr. Rodolphe Slaughter, of Counsel for the plaintiff in error.

88. Charles M. Dinnison, vs. Appellant, The United States. — This Cause was argued by Mr. R. R. McMahon, of Counsel for the appellant, and submitted on a printed argument by Mr. Assistant Attorney General Pradt and Mr. Felix Brannigan, of Counsel for the appellee.

89. Henry Pratt et al. vs. Plffs in Error, Chicago Gas Light & Coke Co. — This Cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John J. Richards, of Counsel for the plaintiffs in error, and Mr. George Hunt, of Counsel for the defendant in error.

90. Guadalupe Thompson, Admx &c, et al., vs. Appellants, The Maxwell Land Grant & Railway Co. et al.

91. Charles Bent et al., vs. Appellants, Guadalupe Miranda et al. — The argument of these Cases was commenced by Mr. John G. Carlisle, of Counsel for the

appellants, and continued by Mr. Frank Springer, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles A. Ames it is ordered that Charles C. Day, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chicago & Northwestern Railway Co., Plff in Error,
vs.
The Town of Cicero.
In Error to the Supreme Court of the State of Illinois

This cause having been called for hearing in due regular order, and it appearing to the Court that the parties have failed to print the transcript of

10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

100. The Virginia & Alabama Coal Company et al. vs. The Central Railroad and Banking Co. et al. Appellants, } It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of Section 4 of Rule 9.

90. Guadalupe Thompson, Admx &c. et al., vs. The Maverick Land Grant & Ry Co. et al. Appellants, } The argument of these cases was continued by Mr. Frank Springer and Mr. A. B. Browne of Counsel for the appellees,

91. Charles Bent et al., vs. Guadalupe Miranda et al. Appellants, }

and concluded by Mr. John G. Carlisle, of Counsel for the appellants.

95. Nathaniel T. Bacon, owner &c., vs. The Steamer "Peconic" &c. Appellant, } The argument of this cause was commenced by Mr. Theodore Bacon, of Counsel for the appellant and continued,

appellees, and Mr. Theodore Bacon, of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Fred. A. Baker it is ordered that John A. Bradley and O. L. Sadler, Esquires, of Akron, State of Ohio, and Clark C. Wood, Esquire, of Lansing, State of Michigan be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

489. Samuel J. Ritchie, Petitioner, v. James B. McMullen et al. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court

gument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

122. The St. Paul and Northern Pacific Railroad Company, Appellant, v. The St. Paul, Minneapolis & Manitoba Railway Company et al. } Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr. C. H. Bunn, of counsel for the appellant, and he having consented in open Court to the affirmance of the decree of the United States Circuit Court of Appeals for the Eighth Circuit in this cause, Therefore, in pursuance of said consent, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs. And it is further ordered that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

per Mr. Chief Justice Fuller

102. Robert Hancock, Appellant; vs. Reuben Dewitt, Appeal from the Supreme Court of the Territory of Idaho.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs; and it is further ordered that the cause be, and the same is hereby, remanded to the Supreme Court of the State of Idaho.

Per Mr. Chief Justice Fuller.

103. Daniel Hiley, vs. Affirm Dec. D. L. Sinkler et al. It is ordered by the Court that this cause be, and the same is hereby passed subject to the provisions of section 997 of Rev. Stat.

107. Roman A. Baca, Appellant; vs. The United States. Appeal from the Court of Private Land Claims.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pur-

ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Waite.

95. Nathaniel P. Breon, owner &c., Appellant, v. The Steamer "Peconakel," et al. Re-argument of this cause was concluded by Mr. Theodore Breon, of counsel for the appellant.

284. The Houston and Texas Central Railroad Co., Plff in Error, v. Martin Struchanski et al. On motion of Mr. Presley K. Ewing, of counsel for the defendants in error, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with No. 92, accordingly.

92. The Houston & Texas Central R.R. Co., Plff in Error, v. Georgia A. Bowles et al.

284. The Houston & Texas Central R.R. Co., Plff in Error, v. Martin Struchanski et al. These cases were argued by Mr. R.S. Lovett of counsel for the plaintiff in error, and Mr. Presley K. Ewing, of counsel for the defendants in error in No. 284; and submitted on a printed argument by Mr. A.M. Garwood, of counsel for the defendants in error in No. 92.

93 The Northern Pacific R.R.Co., vs. Cliff on Error, Patrick R. Smith.

The argument of this cause was commenced by Mr. C.H. Bunn, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened;

On motion first made to the Court in this behalf by Mr. C. W. Bunn it is ordered that Percival S. Menden, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

108. Roman A. Baca, Appellant, vs. The United States. Appeal from the Court of Private Land Claims.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged that

decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

358. The Chicago & Northwestern Railway Company, Plff in Error, vs. The Village of Kinnaird et al. } In Error to the Supreme Court of the State of Illinois.

It appearing to the Court that an authority of Counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed: Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with cost.

Per Mr. Chief Justice Fuller.

93. The Northern Pacific R.R. Co., Plff in Error, vs. Patrick R. Smith. } The argument of this cause was continued by Mr. C. W. Bunn, of counsel for the plaintiff in error, and concluded by Mr. Hiram F. Stevens, of counsel for the defendant in error.

84. The Springer Land Association et al., Appellants, vs. Patrick F. Ford. } The argument of this cause was commenced by Mr. Frank Spring

the appellants, and continued by Mr. Joel F. Vaile, of Counsel for the appellee, and Mr. Frank Springer, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras Jr.,
Edward D. White,
Rufus W. Peckham,
John W. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Fred. A. Baker it is ordered that William A. Gordon, Esquire, of Midland, State of Michigan, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Edward M. Allison Jr., Esquire, of Ogden City, State of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Interstate Commerce Commission, Appellant, vs. The Alabama Midland Railway Company et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

203

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Middle District of Alabama.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Harlan.

The Chief Justice announced that the Court would take a recess from the 15th to the 29th instant.

The Green Bay & Mississippi Canal Company, Plff in Error, vs. The Patten Paper Company, Limited, et al. In Error.

190.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm

and the same is hereby postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

470. George J. Grossley et al., Appellants, vs. The State of California et al. And 480. Benjamin L. Hill, Appellant, vs. N. E. Hale, Warden &c. On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby granted, and the cases assigned for argument on Monday, December 10th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

493. The Mercantile Trust Company, Petitioner, vs. The Farmers' Loan & Trust Company, Trustee, et al. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The Western Assurance Company of Toronto, Petitioner
v.
The J. H. Wohlman Company.

On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit

439.

370.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Mr. Chief Justice Fuller.

Pullman's Palace Car Company, Petitioner,
v.
The Central Transportation Company.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

440.

429.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, granted; and that this cause be, and the same is hereby, advanced and assigned for argument before a full bench with case No. 141, above case, with leave to use the record in No. 141 in both cases.

Mr. Chief Justice Fuller

William Woodward Baldwin, Guardian of Columbus C. Baldwin, vs. The County Commissioners of Washington County, Md. & D. Strand Hull, Collector. In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

H. N. T. Durrant, vs. W. E. Hale, Warden of the State Prison at San Quentin, Marin County, California. Appellant. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this

No. 284. The Houston & Texas Central Railroad Company, vs. Martin Stryjhanski and Charles Dillingham, Receiver of The Houston & Texas Central Railway Co.

In Error to the Supreme Court of the State of Texas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

Per Mr. Chief Justice Fuller.

No. 285. The Houston & Texas Central Railroad Company et al., vs. Martin Stryjhanski and Charles Dillingham, Receiver of The Houston & Texas Central Railway Co.

In Error to the Supreme Court of the State of Texas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate

annum that similar judgments bear in the Courts of the State of Texas.

Per Mr. Chief Justice Fuller.

117. The United States, Appellant, vs. M. Salambier. On motion of Mr. Solicitor General Richards, It is ordered by the Court that these cases be, and they are hereby, passed subject to the provisions of section 4 of Rule 6.

120. Frederick H. Finkel et al., Appellants, vs. The United States.

498. La Abra Silver Mining Co., Appellant, vs. The United States. Mr. Solicitor General Richards, submitted to the consideration of the Court a motion to advance this cause.

No. Charles M. Stewart et al., Admrs &c., Petitioners, vs. George H. Coffin, Admr &c., et al. The petition for a writ of certiorari in this cause was submitted to the consideration of the Court on a printed argument by Mr. Eugene P. Carver and Mr. E. E. Blodgett, in support of the same, and leave to Counsel for the respondents to file brief in opposition thereto within two weeks.

James P. Merrill et al.,
vs. Appellants.
The President and Trustees of
Bowdoin College et al.

The motion for
to use the trans
of record in Case
798 of October T
896 on this ap

was submitted to the consideration of the Cou
printed arguments by Mr. A. B. Browne a
Mr. N. T. Britton, in support of the same, a
Mr. Thomas A. Hubbard, in opposition there

163. C. F. Peck et al. vs. Leo Simmons, Trustees, vs. Plff's in Error, Daniel Bidwell.

In Error to the
of Appeals of
District of Co

Appearing to the Court that a motion by co
for the plaintiffs in error to dismiss the writ of
in this cause has been filed, Therefore, in
pendency of said motion, It is now here ord
And adjudged by this Court that the writ of
in this cause be, and the same is hereby, dism
with costs.

Per Mr. Chief Justice Fuller

87. The Springer Land Association et al., vs. Patrick C. Ford.) Appellants,

Mr. A. B. B
stated to the
that Mr. Fre
Springer, C
sel for the a

cant, did not desire to argue this cause further

No. Mills H. Bradley vs. Esther Broom, Admx &c. Appellant. This cause was argued by Mr. Charles C. Dey, of Counsel for the appellant, and Mr. G. M. Allison, Jr. of Counsel for the appellee.

97. Thomas W. Stewart, Admr &c. vs. The Baltimore & Ohio Railroad Co. Plff in Error. This cause was argued by Mr. Edwin Sutherland, of Counsel for the plaintiff in error, and Mr. George E. Hamilton, of Counsel for the defendant in error.

101. C. G. Blake et al vs. Calvin M. McClung et al. Plffs in Error. This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Heber J. May and Mr. Fulby N. Cornick, of Counsel for the plaintiffs in error, and Mr. James N. Green, Mr. H. H. Ingersoll, and Mr. Charles Seymour, of Counsel for the defendant in error.

109. William Holden vs. Aultman, Miller & Co. Plff in Error. On motion of Mr. Clark C. Wood, of Counsel for the plaintiff in error, leave is hereby granted the Attorney General of the State of Wisconsin to file a printed brief herein within ten days.

William Holder
vs. Plff in Error.
Aultman, Miller & Co.

The argument of this cause was commenced by M. Clark C. Wood of Counsel for the Plaintiff in error, and continued by M. John A. Bradley, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George E. Hamilton it is ordered that Robert C. Taylor, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Terrell it is ordered that Marion H. Harris, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred. Beall it is ordered that Watkins M. Vaughan, Esquire, of Edgefield, State of [illegible]

practice as an attorney and counsellor of this Court and he was sworn accordingly.

118. Henry C. Rouse, Receiver de bonis non of The Missouri, Kansas & Texas Railway of, W. Kiff in Error, vs. F. O. Harry. In Error to the Supreme Court of the State of Kansas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

109. William Holden, W. Kiff in Error, vs. Aultman, Miller & Co. The argument of this cause was continued by Mr. Fred. A. Baker, of Counsel for the defendant in error, and concluded by Mr. Clark C. Wood, of Counsel for the plaintiff in error.

110. Margaret Hetzel, to the use of Theodore Bacon, Trustee, W. Kiff in Error, vs. The Baltimore & Ohio R. R. Co. The argument of this cause was commenced by Mr. Frank H. Hackett, of Counsel, for the plaintiff in error, continued by Mr. George E. Hamilton, of

Counsel for the defendant in error, and concluded by Mr. Walter D. Davidge, of Counsel for the plaintiff in error.

111. John H. Schofield Receiver &c., vs. S. M. Folsom. This cause was argued by Mr. W. B. Childers, of Counsel for the plaintiff in error, and Mr. Neill B. Field, of Counsel for the defendant in error.

112. James B. Hawkins, Sheriff of Custer County Montana vs. J. H. Folsom. Appellant, Appeal from the Circuit Court of the United States for the District of Montana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Montana, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute his appeal, and failing to appear, It is, thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. Solicitor General Richards, of Counsel for the appellee, now here ordered, adjudged, and decreed by this Court that this cause be, and the same is hereby, dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

376. Elizabeth Nobles, by her next friend, W. W. Vaughn, vs. Plff in Error. The State of Georgia. Def in Error.

The argument of this cause was commenced by M. Marion St. Harris, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. Lindsay it is ordered that Hugh O. Pentecost, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. 123. The Texas & Pacific Railway Co., Plaintiff in Error, vs. Robert J. Thompson. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court

script of the record, It is, therefore, in pursuance of the 16th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

124. The Texas & Pacific Railway Co., Pltf in Error, vs. Minnie Juneman. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

125. The Texas & Pacific Railway Co., Pltf in Error, vs. S. M. Dietz. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged

by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

(per Mr. Chief Justice Fuller.)

126. The Texas & Pacific Railway Co., Plff in Error, vs. Rosa Elliott, for herself, and use of Richard Elliott et al — In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

(per Mr. Chief Justice Fuller.)

344. Theodore G. Montague, Appellant, vs. John S. Cox, Receiver of the First National Bank of Johnson City, Tennessee — Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

It appearing to the Court that a stipulation of Counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed that this

that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

376. Elizabeth Nobles, by her next friend, W. W. Baughn, Plff in Error, vs. The State of Georgia.

The argument of this cause was continued by Mr. Marion H. Harris, of Counsel for the plaintiff in error, and Mr. J. M. Terrell, of Counsel for the defendant in error, and concluded by Mr. Marion H. Harris, of Counsel for the plaintiff in error.

415. Benjamin Hawden, Plff in Error, vs. The People of the State of New York.

This cause was argued by Mr. Hugh O. Pentecost, of Counsel for the plaintiff in error, and Mr. John D. Lindsay, of Counsel for the defendants in error.

113. George H. Harrison, Appellant, vs. Pedro Perea, Administrator &c.

1147. Pedro Perea, Administrator &c. Appellant, vs. George H. Harrison.

The argument of these cases was commenced by Mr. H. B. Chilton, of Counsel for Harrison, and continued by Mr. Neill B. Field, of Counsel for Perea, Administrator &c.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. F. M. Stockett it is ordered that F. S. H. Finck, Esquire, of Portsmouth, State of New Hampshire be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. E. M. Allison, Jr, it is ordered that R. A. Whipple, Esquire, of Ogden, State of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

113. George H. Harrison, Appellant, vs. Pedro Perea, Administrator &c. — The argument of this cause was continued by Mr. Neill B. Field, of Counsel for Perea, Administrator &c., and concluded by Mr. W. B. Childers, of Counsel for Harrison.

Pedro Perea, Administrator &c., Appellant, vs. George H. Harrison. 114.

127. Ogden City, Appellant, vs. James C. Armstrong et al. — This cause was argued by Mr. R. A. Whipple, of Counsel for the appellant, and Mr. C. M. Allison, Jr. of Counsel for the appellees.

115. The Hartford Fire Insurance Company et al., Plaintiffs in Error, vs. The Chicago, Milwaukee & St. Paul Railway Company. — The argument of this cause was commenced by Mr. Charles A. Clark, of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices.
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is seated.

On motion first made to the Court in this behalf by Mr. George R. Peck it is ordered that Alfred Flowers, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

281. Francis J. Gowen, Sole Receiver &c., Plff in Error v. William N. Bush.

Mr. Joseph M. Hill, of Counsel, suggested the death of William N. Bush, the defendant in error herein

and moved the Court to make Laura B. Bush, Administratrix of the said William N. Bush, the party defendant in error in the cause

that the said Laura B. Bush, Administra
William N. Bush, deceased, be, and she is h
made the party defendant in error hereo

135. The Steam Tug "Resolute" ver.
v. Appellants,
George Dowsett.

136. The Steam Tug "Resolute" ver.,
v. Appellants,
Henry S. Wilson et al.

137. The Oregon Central & Eastern
Railway Co., Claimant,
v. Appellant,
(N. J. Young et al.)

138. The Oregon Central & Eastern
Railway Co., Claimant,
v. Appellant,
(N. J. Young et al.)

115. The Hartford Fire Insurance
Company et al.,
v. Plffs in Error,
The Chicago, Milwaukee & St. Paul
Railway Company.

Messrs. [illegible]
Submitted to
Consideration
the Court on
Records in A
136, and 138, a
printed argu
by Mr. J. H. H
and Mr. Hile
Main, of Cou
for the appe
and Mr. E. W
of Counsel fo
appellees.

Arguments
this cause co
continued o
Charles A. C
Counsel for
Plaintiffs in
and Mr. Charles B. Keeler and Mr. George R. R
of Counsel for the defendant in error, and Carroll
Mr. Richard H. Bürgen, of Counsel for the Plaint
in error.

Proclamation being made the Court is adjourn
until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court opened

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that John Dowell, Esquire, of Austin, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Murdock it is ordered that E. S. Beach, Esquire, of Saginaw, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made the Court

by Mr. H. A. Dennis it is ordered that Henry P. Blair, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

5. The Pueblos of Zia, Santa Ana, and Jemez, Appellants, vs. The United States et al. Appeal from the Court of Private Land Claims.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby, affirmed.

(Per Mr. Justice Brown.)

6. Manuel Crespin et al., Appellants, vs. The United States. Appeal from the Court of Private Land Claims.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby, affirmed.

(Per Mr. Justice Brown.)

505. James E. Merrill et al., vs. The President and Trustees of Bowdoin College et al.

On consideration of the motion for leave to use the transcript of record in case No. 798 of October Term 1896 on this appeal, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

(Per Mr. Justice Harlan.)

(The Chief Justice took no part in the consideration and decision of this motion.)

111. John W. Schofield, Receiver, of The Albuquerque National Bank, vs. [illegible] et al.

In Error to the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

La Abra Silver Mining Co., Appellant,
vs.
The United States.

498.

On consideration of the motion to advance this cause, It is now hereordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, March 7th, 1898, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

431.

Amado Chaves et al., Appellants,
vs.
The United States et al.

11

Appeal from the Court of Private Land Claims.

467.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims and was argued by Counsel. On consideration whereof, It is now hereordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby, affirmed.

(Per Mr. Chief Justice Fuller.)

373.

The North American Commercial Company,
vs.
The United States.

431.

Mr. Solicitor General Richards submitted to the consideration of the Court a motion for an order on the United States Circuit Court of Appeals for the Second Circuit to transmit the entire record in this cause.

71.

The North American Commercial Co., vs. The United States. (Iliff in Error,)

Mr. Solicitor General Richards submitted to the consideration of the Court a motion to advance this cause

The Union Street Railway Co. of Saginaw, Mich., vs. Byron A. Snook. (Iliff in Error,)

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. George W. Meadock and Mr. E. L. Beach, in support of the same.

Edwin A. McIntire et al., vs. Mary E. Singer. (Appellants,)

The suggestion of a diminution of the record herein and motion for an order upon the appellants requiring them to supply the omitted portions of the record was submitted to the consideration of the Court on printed arguments by Mr. F. A. Mackey, in support of the same, and Mr. Enoch Totten and Mr. F. T. Browning in opposition thereto.

The Southern Pacific Co. & Co., et al., vs. The United States. (Appellants,)

On motion of Mr. J. Hubley Ashton, of counsel for the appellants, it is ordered

the mandate in this cause be stayed for thirty days.

440. David L. Hammond et al., vs. Riffs in Error, Benjamin Horton

The motions to dismiss or affirm, in this cause were submitted to the consideration of the Court on the record and a printed argument by Mr. John B. Henderson, in support of the same, and leave was granted Mr. H. M. Denison to submit suggestions in opposition to the consideration of the motions within ten days.

479. W. N. P. Durrant, vs. Appellant, H. E. Hale, Harden &c

On motion of Mr. H. M. Anderson, leave is hereby granted the Clerk to issue the mandate in this cause.

504. The Sioux City Terminal Railroad and Warehouse Co., vs. Petitioner, The Trust Company of North America.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. C. Coombs and Mr. A. J. Taylor, in support of the same, and Mr. Joseph H. Call, in opposition thereto.

507.

144.

454.

455.

James Knott,
vs. Petitioner,
Botany Worsted Mills et al

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Parker Kirlin, in support of the same, and Mr. Wilhelmus Mynderse, in opposition thereto.

John D. Powers,
vs. Plff in Error,
The Chesapeake & Ohio Railway Company.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. B. Kimball, in support of the same, and Mr. Lawrence Maxwell, Jr., in opposition thereto.

John D. Wilcox,
vs. Appellant,
The Eastern Oregon Land Co.
C. J. Messinger,
vs. Appellant,
The Eastern Oregon Land Co.

These cases were submitted to the consideration of the Court, pursuant to the 21st rule, on the record in No. 454 and printed arguments by Mr. John M. Gearin, of counsel for the appellants, and Mr. James K. Kelly, of counsel for the appellee.

Mr. Solicitor General Richards submitted to the consideration of the Court a motion to postpone the consideration of these cases until

was opposed by Mr. James K. Kelly, of counsel for the appellee.

Proclamation being made the Court is adjourned until the 29th instant at twelve o'clock M.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Arthur C. Butts it is ordered that Adolph Bloch, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Randall Webb it is ordered that Harris Lindsley, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. A. Putnam it is ordered that [illegible]

Flournoy Martin, Esquire, of Birmingham, State of Alabama, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr John Dalzell it is ordered that Samuel Smiley, Mehard and Addison Murray Imbrie, Esquires, of Pittsburgh, and Quincy A. Gordon, Esquire, of Mercer, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly. 24.

On motion first made to the Court in this behalf by Mr. H. M. Dudley it is ordered that Charlton Reid Beattie, Esquire, of Thibodaux, State of Louisiana, be admitted to practice as an attorney and Counseller of this Court and he was sworn accordingly.

80.

23. The St. Anthony Falls Water Power Company, Plff in Error, vs. The Board of Water Commissioners of the City of St. Paul, In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by Counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme

Court in this cause be, and the same is hereby,
affirmed with costs.

Per Mr. Justice Peckham.

The Minneapolis Mill Company, Plff in Error,
vs.
The Board of Water Commissioners of the City of St. Paul. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of
the record from the Supreme Court of the State of
Minnesota, and was argued by counsel. On con-
sideration whereof, It is now here ordered and
adjudged by this Court that the judgment of the
said Supreme Court in this cause be, and the
same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

William T. Holtzman, Plff in Error,
vs.
William G. Douglas, John F. Douglas, James F. Douglas et al. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript
of the record from the Court of Appeals of the
District of Columbia, and was argued by coun-
sel. On consideration whereof, It is now here
ordered and adjudged by this Court that the
judgment of the said Court of Appeals in this
cause be, and the same is hereby, affirmed

296. The United States, Appellant, v. Edgar M. Wilson, Administrator of Thomas B. Van Buren, deceased. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition.

Per Mr. Justice Peckham.

113. George W. Harrison, Appellant, v. Pedro Perea, surviving Administrator of the estate of Jose L. Perea, Second, deceased. Appeal from the Supreme Court of the Territory of New Mexico.

117. Pedro Perea, surviving Administrator of the estate of Jose L. Perea, Second, deceased, Appellant, v. George W. Harrison.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court

in this Cause on the cross-appeal of Peter, Administrator &c, be, and the same is hereby, reversed, all the costs in this Court to be paid by George W. Harrison; and that this Cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter a decree in conformity with the opinion of this Court, with liberty to change the distribution upon application, if it shall appear proper.

Per Mr. Justice Peckham.

John H. Warner, Administrator of the estate of Joseph W. Ellis, deceased, Plaintiff in Error, vs. The Baltimore & Ohio Railroad Company. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs, And that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and to remand the case to that Court with directions to grant a new trial, and for further proceedings in conformity

376. Elizabeth Nobles, by her next friend, H. H. Baughn, Plff in Error vs. The State of Georgia. In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice White.

40. Edward E. O'Brien, Appellant, vs. Brice Alan Miller, Thomas Dejieon Comber, John Manley Lowe et al. On a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed, and that of the District Court of the United States for the Southern District of New York be, and the same is hereby, affirmed with costs; and that this cause be, and the same

is hereby, remanded to the said District Court.
Per Mr. Justice White.

Edward Hodgson, Plff in Err.
vs.
The State of Vermont. } In Error to the Supreme Court of the State of Vermont.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Vermont, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.
Per Mr. Justice Shiras.

Ogden City,
vs. Appellant,
James C. Armstrong, William Driver, J. N. Spargo et al. } Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause as to the appellee The Realty Company of Killing, Maine, be, and the same is hereby, affirmed with costs, and that the appeal as to the other

for the want of jurisdiction; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

(Per Mr. Justice Shiras)

94. Charles M. Dennison, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, varied by increasing the same from $678.10 to $775.60, and subject to such increase &c, and the same is hereby, in all other respects affirmed.

(Per Mr. Justice Brown)

11. Henry Pratt and John J. Ryan, partners as Henry Pratt Company, vs. Paris Gas Light & Coke Company. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

A. B. Roff
vs. } In Error to the United
Roff in Error, } States Court for the
Louisa Burney, as Adminis- } Indian Territory.
tratrix of B. C. Burney, deceased

This cause came on to be heard on the transcript of the record from the United States Court for the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said United States Court with directions to overrule the plea to the jurisdiction.

Per Mr. Justice Brewer.

Lewis C. Harried,
vs. } Appeal from the Su-
Appellant, } preme Court of the
Charles L. Newman. } Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for want of jurisdiction; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr. Justice Gray.

12. Lewis C. Karrick, Appellant, v. Charles L. Hanneman. Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the tranceript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr. Justice Gray.

77. The United States, Appellant, v. Frank B. Crosthwaite. Appeal from the Court of Claims.

This cause came on to be heard on the tranceript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the action.

Per Mr. Justice Harlan.

766. Richard S. Williams, Plff in Error, vs. The United States. In Error to the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to grant a new trial.

per Mr. Justice Harlan

Mr. Justice Brewer did not hear the argument of this case nor participate in its decision.
Mr. Justice Brown concurs in the result.

767. Richard S. Williams, Plff in Error, vs. The United States. In Error to the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed;

remanded to the said District Court with directions to grant a new trial.

Per Mr. Justice Harlan.

Mr. Justice Brewer did not hear the argument of this case nor participate in its decision.

Mr. Justice Brown concurs in the result.

10. J. J. Douglas vs. Affirm'd Error, The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

No. 16 Charles M. Stewart, Edward L. Stewart, Wm. Edmund W. Stewart, Administrators of Thomas J. Stewart, dec'd, et al., Petitioners, vs. George H. Coffin, Administrator of C. F. Kimball, deceased, et al. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument

of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

144. John D. Powers, vs. Riffin Ewer, The Chesapeake & Ohio Railway Company. — It is ordered by the Court that the further consideration of the motion to dismiss herein be, and the same is hereby, postponed until the hearing of the cause on its merits.

(Per Mr. Chief Justice Fuller.)

373. Edwin A. McIntire et al., Appellants, vs. Mary C. Pryor. — On consideration of the suggestion of a diminution of the record herein and motion for an order upon the appellants requiring them to supply the omitted portions of the record, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered that the appellees file with the Clerk of this Court and serve on counsel for the appellants on or before January 1st, 1898, a statement of the testimony and exhibits used on the hearing below, and omitted in the transcript now on file, which they deem necessary for the proper presentation of this cause on the

appellants shall on or before March 1st, 1898, file in this cause as part of the record copies of such testimony and exhibits, duly certified, the appeal will be dismissed. It is further ordered that leave be, and the same is hereby, granted appellants to file any testimony and exhibits used on the hearing below not now in the transcript and not called for by the appellee.

Per Mr. Chief Justice Fuller.

The North American Commercial Co., Plff in Error, vs. The United States. 431.

On consideration of the motion for an order on the United States Circuit Court of Appeals for the Second Circuit to transmit the entire record in this cause, It is ordered by the Court that a writ of certiorari, to bring up said record be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

The North American Commercial Co., Plff in Error, vs. The United States. 431.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, March 7th, 1898, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

440. David L. Hammond et al., vs. Affirm in Error, Benjamin Horton

It is ordered by the Court that counsel for the plaintiffs in error be, and they are hereby, granted ten days within which to file printed briefs on the merits of the motions to dismiss or affirm herein.

Per Mr. Chief Justice Fuller.

454. John D. Wilcox, vs. Appellant, The Eastern Oregon Land Co. and

455. E. J. Messinger, vs. Appellant, The Eastern Oregon Land Co.

On consideration of the motion to postpone the consideration of these cases until after Case No. 295 shall have been heard, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and leave is granted to counsel herein to file printed briefs in case No. 295 if they shall so desire.

Per Mr. Chief Justice Fuller.

Y's. Mills N. Beardsley, vs. Appellant, Esther Broom, Administratrix of the estate of John Broom, deceased

Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Terri-

consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Mont.

Per Mr. Chief Justice Fuller.

66.

67.

36. George F. Underhill, Pltff in Error, vs. Jose Manuel Hernandez. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the Circuit Court of the United States for the Eastern District of New York in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court.

Per Mr. Chief Justice Fuller.

The Canton Insurance Co, Limited, et al., Appellants,
vs.
John MacIntyre, Jr., et al., Claimants of the Steamship "Victory", et al.
John MacIntyre, Jr., et al., Claimants of the Steamship "Victory", et al., Appellants,
vs.
The Canton Insurance Co, Limited, et al.

On a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed, the costs in that Court to be equally divided between the owners of the Steamship "Victory" and the respondents, The Canton Insurance Company, Limited, et al; and that the decree of the District Court of the United States for the Eastern District of Virginia in this cause be, and the same is hereby, affirmed, the costs in this Court for preparing and printing the record to be paid by the owners of the Steamship "Victory", and all other costs in this Court to be divided equally between the owners of the Steamship "Victory" and the respondents, The Canton Insurance Company, Limited, et al.; And that this

said District Court.

Hon. Mr. Chief Justice Fuller.

Hipolito Montoya, Jose Montoya, and Abran Montoya, heirs at law of Guadalupe Montoya, deceased,

vs. Appellants,

The United States et al.

M. Solicitor G. Richards, on behalf of the ap... having filed ... open Court the ... lowing Certi... to wit:

"Court of Private Land Claims.

United States of America } ss.
Territory of New Mexico }

I James H. Rea... Clerk of the Court of Private Land Claims, do he... Certify that in a certain Cause pending in said ... the same being Cause numbered one hundred ... eleven (111) on the dockets of said Court wherein Hipolito Montoya, Jose Montoya, and Abran Mon... toya, heirs at law of Guadalupe Montoya, de... are Plaintiffs, and the United States of Amer... The New Mexico Mining Company, Joseph A. G... Francisco Trujillo, Mariano S. Otero, Antoni... Jose Gallegos, Francisco Chaves, Jose Mari... Skinner, Jesus Gonzales, Narciso Gonzales, Eus... Barreras, Felipe Padilla, Ascencion Pino, Fra... Gurule, Jose Aragon, J. Cutanino Garcia, Antoni... Gallegos, Nicolas Gutierres, Roman Chavez, Ra... Candelario, Luis Jose Barreras, J. Vidal Mon... Eusebio Gurule, Romualdo Pino, Mariano Arm... Jeronimo Gurule, Eutimio Gonzales, Pablo...

Barreras, Nestor Gonzales, Amado Mora, Emiterio Gutierrez, Dolores Jurado, Jose Candelario, Benito Chaves, Jose A. Garcia y Jurado, Juan Chaves, Jose Emiterio Montano, Antonio Garcia, Pedro Anto. Serna, Juan Antonio Chaves, Simon Gonzales, Marcelino Archibeque, Nestor Nieto, Florencio Martinez, Lucilio Garcia, Marillita Gonzales, Henry Caldwell, Jose Pedilla, Nabor Jurado, Epifanio Caldwell, Luis Chaves, John Caldwell, Juan Nieto Agapito Garcia, Jose M. Serna, Sirsio Lucero, J. M. Skinner, Juan Barros, R. M. Carley, Jose Gallegos, Barbara Jurado, Cirilio Montano, Manuel A. Trujillo, Pablito Chaves, and Cornelio Montoya were defendants, a final decree was rendered by said Court of Private Land Claims on the 17th day of May, A.D. 1897, in behalf of said defendants and against the said complainants, and that on the 17th day of May, A.D. 1897, said complainants prayed an appeal to the Supreme Court of the United States, which was on said day last named duly allowed.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Court of Private Land Claims, this 21st day of November, A.D. 1897.

(Seal)

James N. Reader
Clerk of the Court of Private Land Claims
By Ireneo L. Chaves,
Deputy

moved the Court to docket and dismiss this
pursuant to the 9th rule: and it appearing
Court that the appellants have failed to have
cause filed and docketed in conformity w
rules of this Court, It is now here ordered, a
and decreed by this Court that this appeal
Court of Private Land Claims be, and the s
is hereby, docketed and dismissed; ——
And that this Cause be, and the same is hereb
manded to the said Court of Private Land
to be proceeded in according to law and jus

Per Mr. Chief Justice Fulle

220. N. S. Swenson, Pl'ff in Error, v. Russell Sage, Assignee &c. On motion of Mr. C ant Attorney Gen Boyd, It is ordere By the Court that depositions taken in support of and in op sition to the motion to dismiss herein be op and filed.

53. Charles P. Barrett, Pl'ff in Error, v. The United States.

175. Charles P. Barrett, Pl'ff in Error, v. The United States. On motion of Mr. C Lancaster, of counse for the plaintiff in It is ordered by the that these cases b they are hereby, ad ed for argument Monday, January 17th, 1898, after the cases h tofore assigned for that day.

511. Harry H. Dickerman, Trustee, et al., Petitioners. v. The Northern Trust Co., et al.; Trustees, et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Otto Gresham, in support of the same, and Mr. Monroe L. Willard, in opposition thereto.

514. S. H. Vance et al., Appellants, v. H. A. Vandercook Company

515. S. H. Vance et al., v. Writ of Error H. A. Vandercook Company

Mr. H. A. Barber, of counsel for the appellants and plaintiffs in error, submitted to the consideration of the Court a motion to advance these cases.

518. Stevenson Burke et al., Petitioners, v. Walter Pierce et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Samuel S. Menard, in support of the same, and Mr. A. M. Imbrie and Mr. D. A. Gordon, in opposition thereto.

427. The Highland Avenue & Belt Railroad Co., Appellant, v. Columbian Equipment Co.

This cause was submitted to the consideration of the Court on the record.

ments by Mr. A. T. London and Mr. S. A. Put
of counsel for the appellant, and Mr. John
Martin and Mr. A. D. Hotchkiss of counsel
the appellee.

No. 140. Charles E. Summers, Assignee, v. Riffin Exr., Frank E. White, United States Marshal, Farrington Power, Deputy Marshal, et al.

In Error to the U
States Circuit
of Appeals for
Eighth Circu

This cause having been called for hearing in d
regular order, and it appearing to the Court th
the parties have failed to print the transcrip
of the record, It is, therefore, in pursuance o
10th rule of this Court, now here ordered and
judged by this Court that the writ of error in
cause be, and the same is hereby, dismiss
with costs.

Per Mr. Chief Justice Fulle

No.

Ex parte. In the matter of The Tampa Suburban Railway Company, (Petitioner.)

This case was arg
by Mr. Noah Brow
Kent Pettingill,
counsel for the
titioner, and Mr
A. A. Joline, of counsel for the respondent.

No. 312. William R. Hall, v. Riffin Exr., The United States.

This cause was argued
Mr. Arthur C. Butts,
Counsel for the plaintiff

in error, and Mr. Assistant Attorney General Boyd of counsel for the defendant in error.

114. Fannie P. Williams et al., Appellants, v. John H. Paine et al. The argument of this cause was commenced by Mr. F. H. Mackey, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 20th, 18

Pursuant to adjournment the Court met a
at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Jus
John M. Harlan,
Horace Gray,
David J. Brewer, Assoc
Henry B. Brown, Asso
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is open

On motion first made to the Court in this be
by Mr. G. W. Kretzinger it is ordered that Th
E. D. Bradley, Esquire, of Chicago, State of
be admitted to practice as an attorney and
sellor of this Court and he was sworn accord

1469. The Tide Water Oil Co., Appellant, v. The United States.

On motion of Mr
win B. Smith, of
sel for the appella
It is ordered by
Court that this cause be, and the same is he
passed on account of the sickness of counse

111. Fannie F. Williams et al., Appellants, vs. John K. Paine et al. The argument of this cause was continued by Mr. F. A. Mackey, of counsel for the appellants, and Mr. H. G. Johnson and Mr. Calderon Carlisle, of counsel for the appellees, and concluded by Mr. F. A. Mackey, of counsel for the appellants.

121. The Northern Pacific Railroad Co. et al., Appellants, vs. Musser-Sauntry Land, Logging, & Manufacturing Co. et al. The argument of this cause was commenced by Mr. C. H. Dunn, of counsel for the appellants.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, December 1st, 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion duly made to the Court in this behalf by Mr. Edwin B. Smith it is ordered that John Nicolson, Jr., Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

149. The Tide Water Oil Co., Appellant, v. The United States.

Mr. Edwin B. Smith, of counsel for the appellant, submitted to the consideration of the Court a motion that the Court of Claims be requested to make and return to this Court an additional finding herein.

121.

128.

129.

130.

131.

The Northern Pacific Railroad Co, et al.,
vs. Appellants,
Chesser-Saunby Land, Logging, Manufacturing Co, et al.

The argument of this cause was continued by Mr. C. H. Dunn, of counsel for the appellants and Mr. Thomas Wilson, of counsel for the appellees, and concluded by Mr. C. W. Dunn, of counsel for the appellants.

Emma C. Noyes,
vs. Appeal from Dak.
The Silver Queen Mining Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. N. Doolittle, of counsel for the plaintiff in error, and Mr. John H. Miller, of counsel for the defendant in error.

The United States,
vs. Appellant,
Frederick S. Passavant et al.

This cause was argued by Mr. Solicitor General Richards, of counsel for the appellant, and Mr. Edwin B. Smith, of counsel for the appellees.

McCormick Harvesting Machine Co,
vs. Appellant,
Aultman & Co., et al.
McCormick Harvesting Machine Co.,
vs. Appellant,
Aultman, Miller & Co.

The argument of these cases was commenced by Mr. R. A. Parkinson, of counsel for the appellant.

[illegible] announcement being made the Court [illegible]

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Dillon it is ordered that Samuel H. Hest, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that Patrick Henry Winston, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Call it is ordered that Asa F. Call, Esquire, of Sioux City, State of Iowa, be admitted to practice

as an attorney and counsellor of this Court and he was sworn accordingly.

John Leonard,
Vs. Appellant,
R. A. Simms, Sheriff of Whitman County, State of Washington, and The State of Washington.

Mr. Patrick Henry Winston, of counsel for the appellees, having filed in open Court the following Certificate, to wit:

"In the Circuit Court of the United States for the District of Washington.

United States of America } ss
District of Washington. }

I, A. Reeves Ayres Clerk of the Circuit Court of the United States for the District of Washington, do hereby certify that on the 22nd day of June, 1897, there was filed in the said Circuit Court for the District of Washington, Northern Division thereof, a petition by one John Leonard for a writ of Habeas Corpus, in which petition Petitioner prayed that a writ of Habeas Corpus be granted to him, directed to R. A. Simms, as Sheriff of Whitman County, State of Washington;

And I do further certify that on said 22nd day of June, 1897, the Hon. C. H. Hanford, District Judge, presiding in the said Circuit Court of the United States for the District of Washington, did deny the application of the said

ruling of the Court petitioner excepted and
exception was allowed; and thereupon the
petitioner gave notice that he appealed from
said ruling of the said Court and from the w
and every part thereof, and appealed his sa
petition and his said cause, and the whole
every part thereof, to the Supreme Court of
United States, holding terms at the City of Wa
ington, District of Columbia, and to the next
Cir term thereof, and particularly appeale
the said ruling of the said Court denying a
refusing to grant the said writ of Habeas Cor
which said appeal was then and there allo
by the Court.

And I do further certify that on said
day of June, A.D. 1897, a citation, in due fo
was duly and regularly issued out of said
cuit Court of the United States for the Distri
Washington, directed to R. A. Simms, Sher
of Whitman County, State of Washington, a
to the State of Washington.

In witness whereof I have hereu
set my hand and affixed the seal o
(Seal) said Circuit Court of the United S
for the District of Washington, at
City of Seattle, Washington, this
day of October A.D. 1897.

A. Reeves Ayres, Clerk of said Circu
By A. M. Walthew, Deputy Cl

moved the Court to docket and dismiss this cause
suant to the 6th Rule; and it appearing to the Co

that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is therefore ordered, adjudged, and decreed by this Court that the appeal from the Circuit Court of the United States for the District of Washington in this cause be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Circuit Court ——— to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

130. McCormick Harvesting Machine Co., Appellant, v. C. Aultman & Co. et al

131. McCormick Harvesting Machine Co., Appellant, v. Aultman, Miller & Co.

The argument of these cases was continued by Mr. R. H. Parkinson, of counsel for the appellants, and Mr. Thomas A. Banning and Mr. Edmund Helmore, of counsel for the appellees, and concluded by Mr. R. H. Parkinson, of counsel for the appellants.

132. The United States, Plaintiff in Error, v. The Union Pacific Railway Co., et al

This cause was argued by Mr. Solicitor General Richards, of counsel for the plaintiff in error, and Mr. John F. Dillon, of counsel for the defendants in error.

134. J. B. Shepard, Plff in Error, vs. Frank Adams, Receiver &c. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. J. O'Donnell, of counsel for the plaintiff in error, and Mr. C. S. Thomas and Mr. W. H. Bryant, of counsel for the defendant in error.

139. Edwin N. McHenry et al., Receivers &c., Appellants, vs. Love Alford et al. The argument of this cause was commenced by Mr. C. H. Dunn of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made the Court is opened.

149. The Tide Water Oil Co., Appellant, vs. The United States. On motion of Mr. Solicitor General Rush and it appearing to the Court that counsel for the appellee, leave is hereby given to file brief in opposition to the motion for additional finding herein within one week.

152. The Houston & Texas Central R. R. Co., Plff in Error, vs. Sallie Smith et al. Ordered by the Court that this cause be, and the same is hereby, passed

153. The Texas & Pacific Railway Company, Plff in Error, vs. Clara Spradling — In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

139. Edwin H. McHenry et al., Receivers &c., vs. Lore Alford et al. — Appellants.

The argument of this cause was continued by Mr. C. W. Bunn, of counsel for the appellants, and Mr. Edgar M. Camp, of counsel for the appellees, and concluded by Mr. C. W. Bunn of counsel for the appellants.

142. J. Howard Ritter, Executor &c., Plff in Error, vs. The Mutual Life Ins. Co. of N.Y. — Plaintiff in error.

The argument of this cause was commenced by Mr. R. C. Dale, of counsel for the plaintiff in error, and continued by Mr. John G. Johnson, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Mon-

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. F. Vaile, it is ordered that John R. Smith, Esquire, of Denver, State of Colorado, and Robert B. Smith, Esquire, of Helena, State of Montana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Michener it is ordered that Robert V. Cozier, Esquire, of Moscow, State of Idaho, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank L. Wean it is ordered that William S. Hurbert, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. King it is ordered that William E. Harvey, Esquire, of Washington, District of Columbia, and Silas Hare, Esquire, of Sherman, State of Texas, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Frank A. Hitchcock, Esquire, of Somerville, State of Massachusetts, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. P. Taggart it is ordered that A. Leo Knott, Esquire of Baltimore, State of Maryland, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. S. Thomas it is ordered that Everett E. Ellinwood, Esquire, of Flagstaff, Territory of Arizona, be admitted to practice as an attorney and Counsellor

sellor of this Court and he was sworn accordingly

135. The Steamtug "Resolute", N.B. Hammond &c. E. L. Bonner, Claimants, Appellants vs. George Bennett — Appeal from the District Court of the United States for the District of Oregon

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Oregon, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in so far as it assumes jurisdiction of this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer

136. The Steamtug "Resolute", N.B. Hammond &c. E. L. Bonner, Claimants, Appellants vs. Henry E. Wilson, Sydney G. Wolfhill, Thomas Nelson & Charles Jahn. — Appeal from the District Court of the United States for the District of Oregon

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Oregon, and was argued by Counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said District Court in so far

the same is hereby, affirmed with costs.

Per Mr. Justice Brown.

127 The Oregon Central and Eastern Railroad Company, Claimant of the Steamer "William M. Hoag," Appellant, vs. R. J. Young, M. Bell, C. A. Bell et al. Appeal from the District Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in so far as it assumes jurisdiction of this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown.

97

138 The Oregon Central and Eastern Railroad Company, Claimant of the Steamer "Three Sisters," Appellant, vs. R. J. Young, M. Bell, C. A. Bell, et al. Appeal from the District Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Oregon, and was argued by Counsel. On consideration whereof, It is now here ordered

adjudged, and decreed by this Court that the decree of the said District Court in so far as it assumes jurisdiction of this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown

Thomas H. Stewart, Administrator of the estate of John Andrew Casey, Appellant,
vs.
The Baltimore & Ohio Railroad Company.

In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof it is ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and to remand the cause to that Court with directions to grant a new trial.

Per Mr. Justice Brown

Guadalupe Thompson, Administratrix of the estate of Alfred Bent, deceased, George Thompson, her husband, et al., Appellants, vs. The Maxwell Land Grant & Railway Company and Luz B. Maxwell

90. Appeal from the Supreme Court of the Territory of New Mexico

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice Shiras and
Mr. Justice White.

379

Charles Bent, Julian Bent and Alberto Silas Bent, Appellants, vs. Guadalupe Miranda; Jesus G. Abren, as surviving executor of the last will of Charles Beaubien, Luz B. Maxwell et al.

91. Appeal from the Supreme Court of the Territory of New Mexico

This Cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel. On con-

sideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown

Dissenting:
Mr. Justice Shiras
Mr. Justice White

L. A. Heyer,
vs. Petitioner,
The Richmond Traction Company et al.

On writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Virginia with directions to modify its decree herein so as to make it one dismissing the bill without prejudice to an action at law, the costs in this Court to be paid by L. A. Heyer.

Per Mr. Justice Brown

Dissenting:
Mr. Justice Brown
Mr. Justice Peckham

70. Louis B. Adams and Hatton N. Shilling, vs. Hiram A. Henderson, George H. Bingill, Administrator of Edward A. Reed, deceased, and Millie J. Reed. Appeal from Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the Supreme Court in this cause be, and the same is affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr. Justice Harlan.

57. Margaret A. Muse, Hippolite Filhiol, Francis J. Watts et al., Plffs in Error, vs. The Arlington Hotel Company. In Error to the Circuit Court of the United States for the District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was submitted by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment in this cause be, and the same is hereby, reversed for the want of jurisdiction.

504. The Sioux City Terminal Railroad & Warehouse Company et al., Petitioners, vs. The Trust Company of North America. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

507. James Knoll, Petitioner, vs. Botany Worsted Mills et al. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

S. H. Vance et al.,
514. v. Appellants,
N. A. Vandervoort Company
S. H. Vance et al.,
515. v. Plffs in Error,
N. A. Vandervoort Company.

On consideration of the motion to advance these cases.

It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Monday, March 7th, 1898, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

128.

Stevenson Burke et al.,
518. v. Petitioners,
Walter Pierce et al.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Union Street Railway Company of Saginaw, Michigan,
467. v. Plff in Error,
Byron A. Stout.

In Error to the Supreme Court of the State of Michigan

176.

This cause came on to be heard on the transcript of the

record from the Supreme Court of the State of Michigan, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Emma C. Noyes, Plff in Error, vs. The Silver Queen Mining Company. On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller.

Elias A. Parsons, Plff in Error, vs. Arthur Pratt. In Error to the Supreme Court of the State of Utah.

This cause having been called to the attention of the

in error, and a stipulation of counsel for the respective parties to reverse the judgment herein having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings.

Per Mr. Chief Justice Fuller.

192. Daniel Dull et al., vs. Plffs in Error, John E. Blackman et al. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Winfield S. Strawn, in support of the same, and Mr. A. G. Safford and Mr. J. N. Fleckinger in opposition thereto.

292. Martin F. Morris et al., Appellants, vs. The United States. Mr. Calderon Carlisle, of Counsel for the appellants, submitted to the Consideration of the Court a motion to remit the Cost of supervising the printing of the record in this Cause.

152.

142.

143.

The Houston & Texas Central Railroad Company, Plff in Error
vs.
Sallie Smith and her husband James Smith.

In Error to the Court of Civil Appeals for the Third Supreme Judicial District of Texas.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed herein in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

A. Howard Ritter Executor &c, Plff in Error,
vs.
The Mutual Life Insurance Co. of New York.

The argument of this cause was continued by Mr. John G. Johnson, of counsel for the defendant in error, and concluded by Mr. George Tucker Bispham, of counsel for the plaintiff in error.

William M. Conde et al., Plff in Error,
vs.
Johnson E. York et al.

This cause was argued by Mr. E. R. Brown, of counsel for the plaintiffs in error, and Mr. Henry Purcell, of counsel for the defendants in error.

1111. John T. Powers,
vs. Plaintiff in Error,
The Chesapeake & Ohio Railway Company.
Plaintiff in error.

The argument of this cause was commenced by Mr. Lawrence Maxwell, Jr., of counsel for the.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Lawrence Maxwell Jr., it is ordered that William Henry Knox, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. M. Cockrell it is ordered that J. H. Kates Esquire, of Sedalia, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter B. Hill it is ordered that W. Ed[illegible]

Esquire, of Macon, State of Georgia, [illegible] to practice as an attorney and Counsellor a Court and he was sworn accordingly.

480. Benjamin L. Hill, Appellant
vs. Appeal fro
W. E. Hall, Warden of the State Prison of California at San Quentin, Marin County, California. Circuit Co the United for the Nort District of Ca

This cause having been called for hearing in its order, and it appearing to the Court that the A have failed to print the transcript of the re It is, therefore, in pursuance of the 10th ru this Court, now here ordered, adjudged, a decreed by this Court that this appeal be, a the same is hereby dismissed with costs

Per Mr. Chief Justice Fuller

1144. John T. Powers, Reargument
vs. Plff in Error, Cause was con
The Chesapeake & Ohio Rail- by Mr. Lawre
way Company. Maxwell, Jr., o
sel for the plain

in error, and Mr. C. B. Simrall, of counsel the defendant in error, and concluded by Mr. Lawrence Maxwell, Jr., of counsel for the plaintiff in error.

145. William A. Clark, Plaintiff in Error, vs. William F. Fitzgerald et al. Reargument of this cause was commenced by Mr. Robert B. Smith, of counsel for the plaintiff in error, and continued by Mr. J. W. Forbis, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, December 8th 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George P. B. Jackson it is ordered that Harrison O. Shepard, Esquire, of Muscogee, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Calvin it is ordered that Milton E. Robinson, Esquire, of Utica, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

145.

146.

147.

William A. Clark,
vs. } Plff in Error,
William F. Fitzgerald et al. } Defendants in Error,

The argument of this cause was continued by Mr. J. W. Forbis, of counsel for the defendants in error, and concluded by Mr. Robert J. Smith, of counsel for the plaintiff in error.

The Missouri, Kansas & Texas Railway Co.,
vs. } Plff in Error,
Orange Fuller et al. } Defendants in Error,

This cause was argued by Mr. George P. B. Jackson, of counsel for the plaintiff in error, and Mr. Harrison O. Shepard, of counsel for the defendant in error.

The Del Monte Mining and Milling Co.,
vs. } Appellant,
The Last Chance Mining and Milling Company } Appellee,

The argument of this cause was commenced by Mr. C. S. Thomas, of counsel for the appellant, and continued by Mr. Joel F. Vaile, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, December 9th, 1897

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened,

Henry Williams,
vs. } Plff in Error.
The State of Mississippi,

Mr. E. J. Jones, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to docket this cause and proceed in forma pauperis.

David L. Hammond et al.,
vs. } Plffs in Error,
Benjamin Horton

No. 1140.

On motion of Mr. A. A. Denison, of counsel for the plaintiffs in error, It is ordered by the Court that the time within which to file briefs in opposition to the motions to dismiss or affirm herein be, and the same is hereby, extended to Monday, December 20th.

158. Building and Loan Association of Dakota, vs. Appellant, M. S. Price et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. H. Hansen, of counsel for the appellant, and Mr. H. S. Simkins, of counsel, for the appellees.

147. The Del Monte Mining and Milling Co., vs. Appellant, The Last Chance Mining and Milling Co. The argument of this cause was continued by Mr. Joel F. Vaile, of counsel for the appellee, and concluded by Mr. C. S. Thomas, of counsel for the appellant.

151. Ambrose P. S. Stuart, vs. Appellant, Kent K. Hayden, Receiver, August P. Gaultier et al., 160. vs. Appellants, Ambrose P. S. Stuart et al. The argument of this cause was commenced by Mr. C. C. Flansburg, of counsel for Stuart, and continued by Mr. J. M. Lamberton, of counsel for Hayden, Receiver.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, December 10th 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. L. Terry it is ordered that John Fletcher Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Henry Williams,
vs. Plff in Error,
The State of Mississippi.

On consideration of the motion for leave to docket this cause and proceed in forma pauperis, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that the record be printed at the public expense.

Per Mr. Chief Justice Fuller.

151. Ambrose P. S. Stuart, Appellant, vs. Kent K. Hayden, Receiver &c. — The argument of these causes was continued by Mr. G. M. Lambertson, of counsel for Hayden, Receiver, and concluded by Mr. John A. Ames, of counsel for Gaulter et al.

160. August F. Gaulter et al., Appellants, vs. Ambrose P. S. Stuart et al.

405. The United States and The Comanche Indians, Appellants, vs. Simeon Kemp. — The argument of this cause was commenced by Mr. Assistant Attorney General Thompson, of counsel for the appellants, and continued by Mr. William B. King, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, December 13th 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White.
Rufus W. Peckham.
Associate Justices

John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. C. J. Faulkner it is ordered that James Lee Love, Esquire, of the State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Howard it is ordered that Samuel E. Hibben, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. E. Ellinwood it is ordered that William C.

O'Neill, Esquire, of Russell, Territory of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Robert S. Todd, Esquire, of Owensboro, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas Bram, otherwise called Thomas C. Bram, otherwise called Thomas M. Bram, otherwise called A. Thomas Bram,
Plaintiff in Error,
vs.
The United States.

In Error to the Circuit Court of the United States for the District of Massachusetts.

3140.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

Per Mr. Justice White.

Dissenting:
Mr. Justice Reed
Mr. Chief Justice Vinson

57. The Michigan Land and Lumber Company, Limited vs. Charles A. Rust, Servicer &c. — In Error to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, Affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Michigan.

Per Mr. Justice Brown.

58. The Springer Land Association et al., vs. Patrick O. Ford — Appellants, — Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, Affirmed with costs.

Per Mr. Chief Justice Fuller.

133. The United States, Pl. in Error, vs. The Union Pacific Railway Company et al. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that the said certificate be and the same is hereby dismissed. (Whereupon,) It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court will take a recess from Monday, the 20th instant to Monday January 3d 1898.

Order.

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the Circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Horace Gray, Associate Justice.
" " Second " Rufus W. Peckham, " "
" " Third " George Shiras Jr.

hereby, affirmed with Costs; and that this Cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania.

Per Mr. Chief Justice Fuller.

479.

997 M. F. Morris et al., Appellants, v. The United States. On consideration of the motion to remit the cost of supervising the printing of the record herein, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

381.

533. Henry Hopkins et al., Appellants, v. The United States. Mr. Solicitor General Richards submitted to the consideration of the Court a motion for an order on the United States Circuit Court of Appeals for the Eighth Circuit to transmit the entire record in this cause.

202.

533. Henry Hopkins et al., Appellants, v. The United States. Mr. Solicitor General Richards submitted to the consideration of the Court a motion to advance this cause.

J. C. Anderson et al., Appellants,
vs.
The United States.

Mr. Solicitor General, Richards submitted to the Consideration of the Court a motion to

advance this cause.

Thomas M. Adams and E. C. Means, Administrators &c., Petitioners,
vs.
Benjamin K. Cowen et al., Trustees.

Mr. J. K. Richards, in behalf of counsel for the respondents submitted to the Consideration of the Court a motion

to advance this cause.

William McQueen,
vs.
Plaintiff in Error,
Sarah P. Jones, Administratrix of M. J. Jones deceased.

In Error to the Supreme Court of the State of Utah.

This cause having been called to the attention of the Court by Mr. J. L. Rawlins, of counsel for the defendant in error, and a stipulation of counsel for the respective parties to reverse the judgment herein having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme

501. Joseph J. Banks, Appellant, vs. William C. Hale, Warden &c. — Re motion to dis... affirm in this ... were submitted ... consideration ... Court on the record and a printed argume... Mr. T. C. Catchings, Mr. H. F. Fitzgerald, a... Mr. H. K. Anderson, in support of the mo...

251. William Richardson, Trustee, Plaintiff in Error, vs. The Louisville & Nashville Railroad Company et al. — Re motion ... mes in this ... was submit... to the consi... tion of the ... on the record and printed arguments by ... Gregory L. Smith, in support of the motion ... Mr. H. A. Blount, in opposition thereto.

222. The Houston & Texas Central Railroad Company et al., Defendants in Error, vs. Addie E. Kelly et al. — Mr. J. Rubicam ... in behalf of ... suggested ... death of Ada... E. Kelly, one ... defendants in error herein, and moved the ... to make Mrs. M. J. Morgan, Tommie Morg... Mrs. Mollie Hackworth, and Mrs. Nannie ... wine, heirs of said Addie E. Kelly, deceased ... fendants in error in this cause. Whereupon ... it is now here ordered by the Court that the ... Mrs. M. J. Morgan, Tommie Morgan, Mrs. M... Hackworth and Mrs. Nannie Terhune, heirs ... Addie E. Kelly, deceased, be and they are here...

made parties defendants in error in this Court.

299	The Houston and Texas Central Railroad Company and William D. Cleveland et al. vs. Mrs. M. J. Morgan et al., heirs of Addie E. Kelly, deceased, et al.	In Error to the Court of Civil Appeals for the Fifth Supreme Judicial District of the State of Texas.

This cause having been called to the attention of the Court by Mr. J. H. Ashton, in behalf of counsel, and a stipulation to dismiss the writ of error in this cause having been filed, Therefore, in pursuance of said stipulation It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same, is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

39	William H. Brauer et al., Appellants, vs. Compania De Navigacion, La Flecha.	The motion to amend the decree of this Court in this cause so as to provide for the allowance of interest was submitted to the consideration of the Court on printed arguments by Mr. W. H. MacFarland, in support of the same, and Mr. Wilhelmus Mynderse, in opposition thereto.

591. Chew Heong Lung & Co. vs. Petitioners, John A. Wise, Collector &c. The petition for a writ of certiorari, herein was submitted to consideration of Court on a printed argument by Mr. Charles in support of the same.

792. M. F. Morris et al., vs. Appellants, The United States. Mr. W. G. Johnson, Counsel for the appellants, submitted to the consideration of the Court a motion to postpone the argument of this cause and to fix the time to be allowed and the number of Counsel to be heard in oral argument.

162. Salt Lake City Railroad Company, vs. Plaintiff in Error, Mary E. Smith. Mr. Error to the Supreme Court of the State of Utah.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

405. The United States and The Comanche Indians, vs. Appellants, Simeon Kemp

The argument of this cause was continued by Mr. William B. King and Mr. Silas Hare, of counsel for the appellees, and concluded by Mr. Charles Gilpin of counsel for the appellants.

411. John M. Wilson et al., vs. Appellants, Avarilla Lambert et al

The argument of this cause was commenced by Mr. Solicitor General Richards, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, December 11th 1877

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

135. The Steamtug "Resolute" &c.,
vs. Appellants,
George Dowse et.

136. The Steamtug "Resolute" &c.,
vs. Appellants,
Henry E. Wilson et al

137. The Oregon Central & Eastern R.R.Co.,
vs. Appellant,
R. J. Young et al

138. The Oregon Central & Eastern R.R.Co.
vs. Appellant,
R. J. Young et al

On motion of Mr. Joel F. Vaile, in behalf of Counsel, leave is hereby granted the Clerk to issue the mandates in these cases.

611.

1470.

100.

John M. Wilson et al., Appellants, vs. Fraille Lambert et al

The argument of this cause was continued by Mr. Solicitor General Richards, of counsel for the appellants, and Mr. P. A. Lambert and Mr. John B. Henderson, of counsel for the appellees, and concluded by Mr. Solicitor General Richards, of counsel for the appellants.

George J. Crossley et al., Appellants, vs. The State of California et al

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. W. F. Fitzgerald and Mr. H. H. Anderson, of counsel for the appellees. No brief was filed by counsel for the appellants.

The Virginia & Alabama Coal Company et al., Appellants, vs. The Central Railroad and Banking Co. et al

The argument of this cause was commenced by Mr. D. M. Cunningham, of counsel for the appellees, and continued by Mr. Martin B. Hall, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, December 15th, 1875

Pursuant to adjournment the Court met
day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justi
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is open

On motion first made to the Court in this cau
by Mr. William F. Mallingly it is ordered that
Albert H. Culbertson, Esquire, of Los Angeles,
of California, be admitted to practice as a
attorney and counsellor of this Court and
was sworn accordingly.

154. Quincy A. Shaw, } On motion of Mr. Solici
vs. } General Richards is
Murray M. Kellogg. } hereby granted to
a brief herein on beh
of The United States.

100. The Virginia & Alabama Coal Company et al., vs. Appellants
The Central Railroad and Banking Co., et al.

The argument of this cause was continued by Mr. Walter D. Hill, and Mr. N. E. Harris, of counsel for the appellants, and concluded by Mr. A. R. Lawton, of counsel for the appellees.

154. Quincy A. Shaw, vs. Affirm'd Error.
Murray M. Kellogg

The argument of this cause was commenced by Mr. Joel F. Vaile, of counsel for the plaintiff in error, and continued by Mr. John R. Smith, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, December 16th

Pursuant to adjournment the Court met to-d
at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

147. The Del Monte Mining and Milling Company, Appellant, v. The Last Chance Mining and Milling Company.

On motion of Mr. Joel F. Vaile, it is hereby grant counsel for the appellant to file a certified copy the opinion of Judge Hallett in the case of Stra v. Gold Sovereign Company, and ten days all counsel for the appellee to file printed argu in relation thereto.

154. Lainey A. O'Neil, v. Tiffin Bros. Murray M. Kellogg.

The argument of the cause was continued by Mr. John R. Sma of counsel for the

Appellant in error, and concluded by Mr. Joel F. Va

of counsel for the plaintiff in error.

155. The Union Mutual Life Insurance Co., vs. Kiff in Error, Elizabeth Kieckhoff.

The argument of this cause was commenced by Mr. E. Tannatee Prentice, of counsel, for the plaintiff in error, and continued by Mr. H. S. Hulbert, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

66. The Canton Insurance Co. Limited, et al., Appellants, v. John Mac Intyre, Jr., et al.

67. John Mac Intyre, Jr., et al., Appellants, v. The Canton Insurance Co. Limited, et al.

Mr. J. Parker Kirlin, of counsel for the Claimants of the Steamship "Plymothian" submitted to the consideration of the Court a motion to amend the decree herein, and Mr. Wilhelmus Mynderse, of counsel for The Canton Insurance Co. et al., submitted a printed memorandum in relation thereto, and leave was granted Mr. R. M. Hughes, of counsel for the Claimants of the Steamship "Victory" to file brief in relation thereto within ten days.

186.

170.

Sylvester Smith,
Plff in Error,
vs.
The Wichita National Bank
of Wichita et al.

In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed, Therefore, in pursuance said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed.

Per Mr. Chief Justice Fuller.

Thomas C. Platt, as President &c. The United States Express Company,
Plff in Error,
vs.
F. M. Shrandgill.

In Error to the Circuit Court of the United States for the Western District of Virginia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, Now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

155. The Union Mutual Life Insurance Co., vs. Error, Elizabeth Kuckoff. Reargument of this cause was continued by Mr. H. S. Herbert, of counsel for the defendant in error, and concluded by Mr. S. Parmalee Prentice, of counsel for the plaintiff in error.

156. The American Sugar Refining Co., vs. Appellant, The Steamship "G. R. Booth." This cause was argued by Mr. Harrington Putnam, of counsel for the appellant, and Mr. J. Parker Kirlin, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras, Jr.,
Edward D. White,
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that Frank Sullivan Smith, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Ellen S. Mussey it is ordered that J. Ellen Foster, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Edmund A. Perry, Esquire, of Washington, District of Columbia,

of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. G. Chaney it is ordered that Jesse A. Blair, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. E. Fox it is ordered that Frank P. Reed, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that W. Littlefield, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

121. The Northern Pacific Railroad Company and Thomas F. Oakes, Henry C. Payne, & Henry C. Rouse, Receivers of The Northern Pacific Railroad Company, vs. The Musser-Sauntry Land, Logging and Manufacturing Company and The Chicago, St. Paul, Minneapolis & Omaha Railway Co. — Appellants, — Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of

Appeals for the Seventh Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with Costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Wisconsin.

Per Mr. Justice Brewer.

Ex parte In the matter of The Tampa Suburban Railroad Company. Petition. On consideration of the motion for leave to file a petition for a writ of certiorari herein, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

336 John H. Baker, Sheriff &c., Appellant, vs. William Lieb.
337 John H. Baker, Sheriff &c., Appellant, vs. T. A. Austin.
338 John H. Baker, Sheriff &c., Appellant, vs. H. G. Hamilton.
339 John H. Baker, Sheriff &c., Appellant, vs. Arthur M. Fuller.

It is ordered by the Court that these cases be, and they are hereby, reassigned for argument, as one case, on Monday, January 3d, 1898.

Per Mr. Chief Justice Fuller.

The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company,
vs. Appellant
The Board of Public Works of the State of West Virginia.

No. 268. The Missouri, Kansas & Texas Railway Co.
vs. Plff in Error
Charles Haber et al.

No. 425. Josephine C. Drake et al, Executors &c.,
vs. Plff in Error,
Daniel A. Kochersperger, County Treasurer &
Elizabeth E. Sawyer & Charles A. Sawyer,
Executors &c., Plff in Error
No. 463. vs.
Daniel A. Kochersperger, County Treasurer &
Jessie Norton Torrence Magoun,
No. 464. vs. Appellant,
Illinois Trust & Savings Bank, Executor &.

No. 15. Josephine W. Huppertman
vs. Appellant.
The Steamship "Carib Prince" &c.

No. 79. The Franklin Sugar Refining Co.,
vs. Appellant,
The Steamship "Silvia" &c.

No. 13. Climaco Calderon,
vs. Appellant,
The Atlas Steamship Co., Limited.

Ordered by the Court that these cases be, and they are hereby re-assigned for argument on Monday, January 24th, 1898, after the cases heretofore assigned for that day.
Mr. Chief Justice Fuller.

19. A. A. McCullough
vs. Appellee,
The Commonwealth of Virginia.
21. P. A. Rhodes,
vs. Plff in Error,
The State of Ohio.
341. The United States,
vs. Appellant,
The Joint Traffic Association et al.
47. The State of Missouri ex rel. The
Laclede Gas Light Co.,
vs. Plff in Error,
106. M. J. Murphy, State Commissioner
The New York Indians,
vs. Appellants,
The United States.
9. The Patapsco Guano Co.,
vs. Appellant,
The Board of Agriculture of
North Carolina et al.

It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday, February 21st, 1898. Present Mr. Chief Justice Fuller.

39. William H. Brauce et al,
vs. Appellants,
Compania De Navigacion,
La Flecha.

On consideration of the motion to amend the decree of this Court in this cause so as to provide for the allowance of interest, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is,

390 M. P. Morris et al., Appellants, vs. The United States. On consideration of the motion to postpone the argument of this cause and to fix the time to be allowed and the number of Counsel to be heard in oral argument, It is now here ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, April 11th, 1898, and eighteen hours allowed for the argument, or the case will be assigned for the second Monday of the next term and twenty-seven hours allowed for the argument; the number of Counsel and the division of the time allotted to be agreed upon by Counsel; if they fail to agree leave is hereby given to apply to the Court hereafter to determine the same.

Per M. Chief Justice Fuller.

381. Thomas M. Adams and E. C. Means, Administrators &c., Petitioners, vs. Benjamin K. Cowen et al., Judges. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied, but leave is given to submit the cause on printed Brief at any time on or before April 11th, 1898.

Per M. Chief Justice Fuller.

479. J. C. Anderson et al., Appellants, v. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 21st, 1898, immediately after case No. 341.

Per Mr. Chief Justice Fuller.

533. Henry Hopkins et al., Appellants, v. The United States. On consideration of the motion for an order on the United States Circuit Court of Appeals for the Eighth Circuit to transmit the entire record in this cause, It is now here ordered by the Court that a writ of certiorari to bring up said record be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

533. Henry Hopkins et al., Appellants, v. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument with case No. 479, immediately after case No. 341.

Per Mr. Chief Justice Fuller.

201. Joseph J. Ebanks, Appellant, vs. W. E. Hale, Warden of the State Prison at San Quentin, Marin County, California. Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

524. Chew Hing Lung & Co., Petitioners, vs. John N. Wise, Collector &c. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

154. Quincy A. Shaw, Plff in Err., vs. Murray M. Kellogg. It is ordered by the Court that this cause be, and the same is hereby dismissed

to the docket and a writ of Certiorari to bring up the entire record in the case is hereby awarded, and leave is given, on filing the petition to said writ, to submit the cause on printed records.

Per Mr. Chief Justice Fuller.

66. The Canton Insurance Co. Limited, et al. Appellants, v. John Mac Intyre, Jr., et al. Claimants &c. This ordered by the Court that the time for issuing the mandate in this case be delayed

67. John Mac Intyre, Jr., et al., Claimants &c., Appellants, v. The Canton Insurance Co. Limited, et al.

twenty days.

Per Mr. Chief Justice Fuller.

415. Benjamin Hawker, Plff in Error, v. The People of the State of New York. It is ordered by the Court that the motion be and the same is hereby, restored to the docket for re-argument on Monday, February 21st, 1898, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

340. Thomas Bram, Plff in Error, v. The United States. On motion of Mr. Solicitor General Richards, of Counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this

Ida F. McDonnell,
No. 510. vs. Plff in Error,
Llewellyn Jordan.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. R. R. McMahon, Mr. David D. Shelby, and Mr. Richard H. Walker, in support of the same, and Mr. Lawrence Cooke, in opposition thereto.

A. J. Sylvester,
397. vs. Plff in Error,
The United States.

Mr. Arthur English, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

M. A. Baden,
534. vs. Petitioner,
Walter Baker & Co., Limited.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Holmes Conrad and Mr. R. T. Barton, in support of the same, and Mr. George Putnam, in opposition thereto, and leave was granted counsel for petitioner to file brief in reply within five days.

Edward E. O'Brien,
110. vs. Appellant,
Brice Alan Miller et al.

The motions to amend the decree of this Court herein were submitted to the consideration of the Court by Mr. Sidney Bush, of counsel for the

appellant, and Mr. Wilhelmus Mynderse, of Counsel for the appellees.

1777. Homer B. Parsons, vs. The District of Columbia et al. In Error.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and printed arguments by Mr. A. A. Birney, of Counsel for the plaintiff in error, and Mr. S. T. Thomas and Mr. A. B. Duvall, of Counsel for the defendants in error.

Proclamation being made, the Court is adjourned until Monday, January 3d, 1898, at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered, that William R. Morrison, Esquire, of Waterloo, State of Illinois, and Henry M. Hoyt, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that A. H. Patterson, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn according[illegible]

On motion leave made to the Court in this behalf by Mr. Rochester Ford it is ordered that Byron Waters, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Edwin H. McHenry and Frank G. Bigelow, as Receivers of the property of The Northern Pacific Railroad Company, Appellants, vs. Lyre Alford, J. C. Gates, A. D. Stephens, Sumner R. Clarke and D. S. Lake.

On certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the third and fifth questions must be answered in the affirmative and the fourth question in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Peckham.

317. William R. Hall, Plff in Error, vs. The United States

In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr Justice Peckham

44. The Penn Mutual Life Insurance Company et al, vs. The City of Austin et al, Appellants,

Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified so as to dismiss the bill without prejudice, and, as so modified, be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

45.

134.

Rafael Maria Del Castillo, Plff in Error, vs. Walter L. McConnico, John R. Long, Horace G. Reese, & William H. Fitzpatrick

In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White

J. B. Shepard, Plff in Error, vs. Reginald Adams, Receiver of the Commercial National Bank of Denver.

In Error to the District Court of the United States for the District of Colorado

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar

of Colorado.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice White and
Mr. Justice Peckham.

John M. Wilson, William M. Black, Henry V. Boynton, Samuel P. Langley and R. Ross Perry, Constituting and Composing The Commission to select the Land for Rock Creek Park, Appellants, vs. Averilla Lambert and Martina Linn, Children and Sole Heirs at Law of John Van Riswick, deceased, Survivor. } Appeal from the Court of Appeals of the District of Columbia.

1611.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby remanded to the said Court of Appeals with directions to reverse the decree of the Supreme Court of the District of Columbia and to remand the cause to that Court with directions to dismiss the bill of complaint.

Per Mr. Justice Shiras.

427.

116.

The Highland Avenue and Belt Railroad Company, Appellant vs. Columbian Equipment Company. } On a Certificate from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon it is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Brewer.

Margaret Metzel, to the use of Theodore Deon, Trustee, Plff in Error, vs. The Baltimore & Ohio Railroad Company. } In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this

same is hereby remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and to remand the cause to that Court with directions to grant a new trial and for further proceedings consistent with the opinion of this Court.

Per Mr. Justice Harlan.

470. George F. Crossley (petitioner on behalf of Salter D. Worden) and Salter D. Worden v. The State of California and Charles Aull, Warden of the State Prison of the State of California. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

William H. Conde and John C. Steele, Plaintiffs in Error, vs. Anson C. York and Wallace O. Markwaithee.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The United States, Appellant, vs. Frederick S. Passmore et al. composing the firm of Passmore & Co.

On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the United States Circuit Court of Appeals

Per Mr. Chief Justice Fuller.

Edward E. O'Brien,
No. v. Appellant,
Brice Allan Miller et al.

On consideration
the motions to
the decree of the
in this cause,

now here ordered by the Court that said
be, and they are hereby, denied.

Per Mr. Chief Justice F

A. J. Sylvester,
397. v. Writ of Error,
The United States

On consideration
motion to advan
cause, It is no
ordered by the C
that said motion be, and the same is he
granted, and the cause assigned for arg
on Monday, March 4th next, after the
heretofore assigned for that day.

Per Mr. Chief Justice F

H. A. Baker,
534. v. Petitioner,
Walter Baker & Company,
Limited.

On petition for a
Certiorari to the
Circuit Court of
for the Fourth C

On consideration of the petition for a writ of
tiorari herein to the United States Circuit Co
Appeals for the Fourth Circuit, and of the
ment of counsel thereupon had, as well in
of and against the same, It is now here ord
by the Court that said petition be, and the
is hereby, denied.

Per Mr. Chief Justice F

146. The Missouri, Kansas & Texas Railway Company, Appellant, vs. Orange Fuller, Assignee of Butler Brothers. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof the Court being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States Court in the Indian Territory.

(per Mr. Chief Justice Fuller.)

543. The United States, Appellant, vs. The Rio Grande Dam and Irrigation Company et al. Mr. Solicitor General Richards submitted to the consideration of the Court a motion to advance this cause.

313. The United States, Appellant, vs. Elihu Coleman. In Error to the United States Circuit Court of Appeals, for the Seventh Circuit.

This cause having been called to the attention of

counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

1911. Herman Keck
vs. Plff in Error.
The United States.

On motion of Mr. Solicitor General Richards, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, the 17th instant, after the cases heretofore assigned for that day.

150. Lowry W. Humes,
vs. Plff in Error,
The United States.

On motion of Mr. Assistant Attorney General Boyd, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, the 17th instant after the cases heretofore assigned for that day.

536. Howard Carroll, Trustee,
vs. Petitioner,
Daniel Goldschmidt et al

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Arthur v. Brown, in support of the same, and Mr. Edwin H. Brown, in opposition thereto.

555. Horace K. Fulton, Petitioner, v. Robert F. Fletcher, The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. D. W. Baker, in support of the same.

5. The United States, Appellant, vs. Earl B. Coe,
27. Santiago Ainsa, Admr, Appt, vs. The United States.
15. Santiago Ainsa, Admr, Appt, vs. The New Mexico & Arizona R. R. Co.
16. Santiago Ainsa, Admr, Appt, vs. The New Mexico & Arizona R. R. Co. et al
27. The United States, Appt, vs. Frederick Morich et al
28. Juan Pedro Cuman, Appt, vs. The United States.
30. Robert Strain, Appt, vs. The United States et al
119. William Faxon Jr., Trustee, et al, Appts, vs. The United States.

On motion of Mr. James C. Carter, of counsel, It is ordered by the Court that these cases be, and they are hereby, reassigned for argument on Monday, March 7th next, after the cases heretofore assigned for that day.

554. A. A. V. Post et al., Petitioners, v. George Buenham et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. J. S. Clark and Mr. R. C. Dale, in support of the same.

549. The Northern Pacific Railway Company
vs. Appellant
William V. Myers, Pursuer

M. A. B. Browne, in behalf of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

531. Henry Williams,
vs. Plff in Error,
The State of Mississippi,

M. C. J. Jones, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

406. The Houston & Texas Central Railway Co., et al.,
vs. Plffs in Error,
The State of Texas.
421. The Galveston, Harrisburg & San Antonio Railway Co, et al.,
vs. Plffs in Error,
The State of Texas.

It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday, the 17th instant after the cases heretofore assigned for that day.

286. Jacob Sonnentheil,
vs. Plff in Error,
The Christian Moerlein Brewing Co, et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed, argument by Mr. F. Charles Hume in support

of the same, and Mr. A. H. Willis, in opposition thereto.

375. The Fenwick Hall Co., Plff in Error, vs. The Town of Whitesville et al. The motions to dismiss in this cause were submitted to the consideration of the Court on the record, and printed arguments by Mr. Lewis & Hunter in support of the same, and Mr. M. H. Seymour, in opposition thereto.

313. The Town of Darlington, Plff in Error, vs. The Atlantic Coast Company. In Error to the Circuit Court of the United States for the District of South Carolina.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

1. The City of New Orleans, Appellant, vs. The Texas & Pacific Railway Co. et al. The argument of this cause was commenced by Mr. Samuel L. Gil-

Monday, January 3d, 1898, Continued

Continued by Mr. H. H. Howe, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

531. Henry Williams,
Pl. in Error
vs.
The State of Mississippi.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is, hereby, granted, and the cause assigned for argument on Monday, March 7th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

171. J. D. Adams,
Pl. in Error
vs.
The State of Texas.

In Error to the Court of Criminal Appeals of the State of Texas.

regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 16th Rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

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179 The Richmond & Allegheny Railroad Co. et al., vs. The R. A. Pattinson Tobacco Co. — In Error.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. T. Newcomb, of Counsel for the plaintiffs in error, and Mr. A. W. Patterson, of Counsel for the defendant in error.

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1. The City of New Orleans, Appellant, vs. The Texas & Pacific Railway Co. et al.

The argument of this cause was continued by Mr. H. H. Howe, of Counsel for the appellees, and concluded by Mr. Samuel L. Gilmore, of Counsel for the appellant.

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78. J. B. Cessna et al., Appellants, vs. The United States et al.

This cause was argued by Mr. Robert Rae and Mr. J. B. Cessna, of Counsel for the appellants, and submitted on a printed argument by Mr. Solicitor General Richards, Mr. Walter L. Brown and

Mr. Frank Springer, of counsel for the appellees.

174. The United States, Appellant
v.
Louis A. Eaton.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Pradt and Mr. Charles H. Russell, of counsel for the appellant; and Mr. John C. Chaney and Mr. John R. Garrison, of counsel for the appellee.

165. Thomas C. Chappell, Appellant
v.
David Stewart.

This cause was argued by Mr. Thomas C. Chappell, in person, and submitted on a printed argument by Mr. David Stewart, pro se.

166. The United States, Appellant
v.
Dixon M. Shelington.

The reargument of this cause was commenced by Mr. George N. Gorman, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 5th 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William E. Mason it is ordered that Frederick Arnd, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was accordingly so admitted.

On motion first made to the Court in this behalf by Mr. D. E. Burton it is ordered that A. J. Drumgold, Esquire, of Seneca State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was accordingly so admitted.

180. Julius A. Bely et al., vs. Ellis in Error, Joseph Naphtaly

181. Jacob S. Smith vs. Ellis in Error Joseph Naphtaly

These causes were submitted to the consideration of the Court on the record and printed arguments by Mr. Henry Warren, of Counsel for the plaintiffs in error and Mr. M. Britton and Mr. A.B. Browne, of Counsel for the defendant in error.

166. The United States, vs. Appellant, Dixon N. Garlinger

The argument of this cause was continued by Mr. George N. Gorman, of Counsel for the appellant, and Mr. S.F. Beaver, of Counsel for the appellee, and concluded by Mr. L.P. Michener, of Counsel for the appellee.

167. The Commissioners of the Sinking Fund of Logan County, Kentucky, et al., vs. Appellants, The United States

165. The United States, vs. Appellant The Commissioners of the Sinking Fund of the City of Lotuenille et al

The argument of these cases was commenced by Mr. Charles C. Binney, of Counsel for the United States.

Proclamation being made the Court is adjourned until

Thursday, January 6th 1898

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

167. The Commissioners of the Sinking Fund of Logan County, Kentucky, et al. vs. Appellants, The United States.

105. The United States, vs. Appellant, The Commissioners of the Sinking Fund of the City of Louisville, et al.

Reargument of these cases was continued by Mr. Charles C. Binney, of counsel for The United States, and Mr. Alphonso Hart, of counsel for The Commissioners of the Sinking Fund of the City of Louisville, et al., and concluded by Mr. Charles C. Binney, of counsel for The United States.

168. The American Surety Co. of New York
vs. The Stiff in Error
Frederick H. Cauldy, Receiver

The argument of this cause was commenced by Mr. Henry C. Hotchkiss of Counsel for the plaintiff in error, and continued by Mr. Edward Winslow Paige, of Counsel for the defendant in error, and Mr. Walter D. Hamilton, of Counsel, for the plaintiff in error.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
Henry B. Brown, Associate
George Shiras, Jr., Justices
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. Wayne Parker it is ordered that Frederic Jesup Stimson, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Don M. Dickinson it is ordered that Chandler P. Anderson, Esquire, of New York City, and Charles B. Warren, Esquire, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. H. Pettus it is ordered that Edwin [illegible]

Esquire, of the District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte In the matter of the petition of Louis P. Boardman in behalf of W. A. P. Durant

Mr. Louis P. Boardman submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus. Whereupon, upon consideration thereof, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

168. The American Surety Co. of New York, Plff in Error, v. Frederick N. Bailey, Receiver &c.

Reargument of this cause was concluded by Mr Holland D. Purdy, of counsel for the plaintiff in error.

169. The American Surety Co. of New York, Plff in Error, v. Frederick N. Bailey, Receiver &c.

Reargument of this cause was commenced by Mr Henry C. Hilton, of counsel for the plaintiff in error, continued by Mr. Edward Winslow Paige of counsel for the defendant in error and concluded by Mr. Walter D. Dunridge, of counsel for the plaintiff in error.

161. The Missouri, Kansas & Texas Railway Co., Plff in Error, vs. McCann & Snuggs.

Argument of this Cause was Commenced by Mr. George S. B. Jackson, of Counsel for the Plaintiff in error, and continued by Mr. J. A. Rodes, of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock M.

Monday, January 10th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. F. Shubork it is ordered that Millard F. Hall, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. G. Safford it is ordered that Oscar D. Scott, Esquire, of Texarkana, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis A. Frudt it is ordered that Henry W.

be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Calderon Carlisle it is ordered that Charles L. Frailey, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Henderson it is ordered that Philip Barton Warren, Esquire, of Springfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that S. T. Bledsoe, Esquire, of Ardmore, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Lowndes it is ordered that William H. Buckler, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

114. Fannie P. Williams, Mary A. Bell, Robert Ransom Jr, et al., vs. John H. Paine, Estelle B. Paine & John Paine, Appellants, } Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

(Mr. Justice White took no part in the consideration and decision of this case.)

158. Building and Loan Association of Dakota, vs. M. S. Rice et al, Appellants } Appeal from the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby remanded to the said Circuit Court

directions to take such further proceedings as may be in conformity with the opinion of this Court.

Per Mr. Justice Peckham.

107. William Holden, Plff in Error, vs. Aullman, Miller & Company. In Error to the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

Per Mr. Justice Gray.

144. John T. Powers, Plff in Error, vs. The Chesapeake & Ohio Railway Company. In Error to the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judg-

ment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

Ambrose P. S. Stuart,

151. vs. Appellant,

Kent K. Hayden, Receiver of the Capital National Bank of Lincoln, Nebraska, August P. Gruetter et al. — Appeals from the United States Circuit Court of Appeals for the Eighth Circuit.

August P. Gruetter and Charles F. Jones,

160. vs. Appellants,

Ambrose P. S. Stuart and Kent K. Hayden, Receiver of the Capital National Bank of Lincoln, Nebraska.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed, but without prejudice to the prosecution of any claim that Gruetter & Jones may have against Stuart arising out of the transactions between them, each appellant to pay one-half of the costs in this Court; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Justice Harlan.

155. The Union Mutual Life Insurance Company, Plff in Error, v. Elizabeth Kirchoff. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Order.

Ordered, in pursuance of the act of Congress of February 19, 1897, (29 Stat. 536, c. 263,) that the following table of fees and costs in the Circuit Courts of Appeals be, and the same is hereby, established, to take effect on the first day of March, A.D. 1898, and no other fees and costs than those therein named shall thereafter be charged:

Docketing a case and filing the record	$5.00
Entering an appearance	.25
Transferring a case to the printed calendar	1.00
Entering a continuance	.25
Filing a motion, order, or other paper	.25
Entering any rule, or making or copying any record or other paper, for each one hundred words	.10
Entering a judgment or decree	[illegible]

Every search of the records of the Court and certifying the same ... Fee
Affixing a certificate and seal to any paper ... 1.00
Receiving, keeping and paying money, in pursuance of any statute, or order of Court, one per cent. on the amount so received, kept and paid
Preparing the record for the printer, indexing same, supervising the printing and distributing the copies, for each printed page of the record and index ... .15
Making a manuscript copy of the record, when required by the rules for each one hundred words, (but nothing in addition for supervising the printing) ...
Issuing a writ of error and accompanying papers, or a mandate, or other papers ... 3.00
Filing briefs, for each party appearing, ...
Copy of an opinion of the Court, certified, under seal, for each printed page, (but not to exceed five dollars in the whole for any copy) ...
Attorney's docket fee ...

(Per Mr Chief Justice Fuller.)

220. N. S. Stevenson, Plff in Error, vs. Russell Sage, as Assignee in trust of The Hastings & Dakota Railway Company. In Error to the Supreme Court of the State of Minnesota.

of the record from the Supreme Court of the State of Minnesota and on a motion to dismiss submitted by the United States, which was argued by counsel. On consideration whereof, it appearing to the Court upon said motion and the affidavits and depositions filed in this Court that the plaintiff in error has not authorized the writ of error in this cause to be sued out or prosecuted, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs. It is further ordered that a copy of the motion, affidavits and depositions filed in this Court be transmitted to the Supreme Court of the State of Minnesota for such consideration and action as to that Court may seem fit.

Per Mr. Chief Justice Fuller

66. The Clinton Insurance Co., Limited, et al., Appellants, vs. John Mac Intyre, Jr., et al.

67. John Mac Intyre, Jr., et al., Appellants, vs. The Clinton Insurance Co., Limited, et al.

On consideration of the motion to amend the decree of this Court herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said decree be, and the same is hereby amended so as to direct that the decree of the District Court be so far modified as to provide that one-half of the item

of $1681.80, costs awarded to The Port of Plymouth Steamship Company, be paid by the owners of the "Victory", and not out of the bond of $67,500 and that as so modified, the said decree of the District Court be affirmed.

(Per Mr. Chief Justice Fuller.)

286. Jacob Sommerhieh, vs. The Christian Moerlein Brewing Company et al. On consideration of the motion to dismiss herein and of the argument of Counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

536. Howard Carroll, Trustee, vs. Petitioner, Daniel Goldschmidt, Adolph M. Goldschmidt and David Bachrach. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

5442. The Northern Pacific Railway Company, Appellant, vs. William V. Myers, Treasurer. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is, hereby, granted, and the cause assigned for argument on Monday, October 17th next.

(Per Mr. Chief Justice Fuller.)

5443. The United States, Appellant, vs. The Rio Grande Dam and Irrigation Company et al. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on Monday, October 17th next, after the case heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

5444. Henry A. V. Post and Charles C. Comeroy, survivors &c., Petitioners, vs. George Burnham, Edward H. Williams et al. On petition for a writ of certiorari, to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, it is ordered

It is ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

555. Horace K. Fuller, Petitioner, vs. Robert T. Fletcher, On petition for a writ of Certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

445. The United States and The Comanche Indians, Appellants vs. Simeon Kemp. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Chief Justice Fuller.

43. The Northern Pacific Railroad Company et al. vs. W. Huffman Exr. et al. Patrick R. Smith.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument on the whole case, and the attention of Counsel is specially directed to the following questions:

1st. Could occupants of public lands, before they were surveyed and declared open for settlement, by subsequently availing themselves of the town-site act, procure a title paramount to that of a railroad company, which under a previous grant by Congress, had taken possession before the town-site patent was granted? (See N. Pac. R.R. Co. v. Colburn, 164 U.S. 383.)

2d. Assuming that the town-site title was, in point of law, prior to that of the railroad company, could the City of Bismarck or its grantees maintain an action of ejectment against the railroad Company? (See Roberts v. N. Pac. R.R. Co. 158 U.S. 10.)

3d. Could Patrick R. Smith, as a grantee from the City authorities subsequent to the actual possession by the railroad Company, maintain either ejectment or an action for the value of the land?

Per Mr. Chief Justice Fuller.

165. Thomas C. Chappell, Plff in Error
v.
David Stewart. } In Error to the Court of Appeals of the State of Maryland.

This Cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by Counsel: On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

375. The Fenwick Hall Company, Plff in Error,
v.
The Town of Old Saybrook and John N. Lewis. } In Error to the Supreme Court of Errors of the State of Connecticut.

This Cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof It is now ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

440.	David L. Hammond, Charles L. Hammond, Mary A. Washington et al., vs. Benjamin Horton,	In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

510.	Ada F. McDonnell, vs. Lewellyn Jordan,	In Error to the Circuit Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and on a motion to dismiss which was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

20. Ransom Rogue, Pl. Appellant, vs. H. L. Robertson et al. On motion of Mr. Assistant Attorney General Boyd, for the appellees, it is ordered by the Court that this cause be, and the same is hereby, assigned for argument on the 17th instant after the cases heretofore assigned for that day.

547. Robert Dunlap, Pl. Appellant, vs. The United States. Mr. Assistant Attorney General Boyd submitted to the consideration of the Court a motion to advance this cause.

349 420. The District of Columbia, Appellant, vs. Effie Dyer, Elizabeth L. W. Bailey, Admx, Elizabeth L. W. Bailey, Admx &c, Appellant, vs. Effie Dyer, The District of Columbia. These causes were submitted to the consideration of the Court on the record and printed arguments, pursuant to the 30th rule, by Mr. S. T. Thomas and Mr. A. B. Duvall, of counsel for The District of Columbia, and Mr. A. S. Worthington, of counsel for Bailey, Admx &c.

525 The Washburn & Moen Manufacturing Co., Petitioners, vs. The Gilman Wire Co. The petition for a writ of certiorari herein was submitted to the

the Court on printed arguments by Mr. Eugene C. Carver and Mr. E. E. Blodgett, in support of the same, and Mr. Frederic J. Stimson, in opposition thereto.

194. The Gila Bend Reservoir and Irrigation Company, vs. W. N. Linn et al. Appellant, Mr. James A. Haydon, of Counsel for the appellant, submitted to the consideration of the Court a motion for leave to amend the record herein.

197. M. F. Morris et al., vs. The United States Appellants, On motion of Mr. Calderon Carlisle, of Counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, October 17th next after the cases heretofore assigned for that day, and twenty-seven hours allowed for the argument.

257. The First National Bank of Grand Forks, North Dakota, vs. Alexander Anderson et al. Appellees, The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Henry W. Phelps, in support of the same, and Mr. H. E. Dodge in opposition thereto.

562. Robert A. Smiley, Petitioner, vs. Samuel H. Buker. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. F. A. Bacon, in support of the same, and Mr. J. F. Burke, in opposition thereto.

535. C. H. Bosworth, Receiver &c., Petitioner, vs. Tennessee Railroad Association of St. Louis. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Philip Barton Warren and Mr. Bluford Wilson, in support of the same, and Mr. M. F. Watts and Mr. S. P. Wheeler, in opposition thereto, and leave was granted counsel for the petitioner to file a brief in reply within two days.

500. Sterling A. Holt et al., Appellants, vs. The Indiana Manufacturing Co. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Chester Bradford, in support of the same, and Mr. William A. Kelsham, in opposition thereto.

184. Lewis Pierce et al., Trustees, vs. Riffs in Error, The Somerset Railway Co.

Ordered by the Court that these causes be, and they are hereby, passed, subject to the provisions of Section 997 Rule 30.

185. Lewis Pierce et al., Trustees, vs. Riffs in Error, John Ryan et al.

187. Benjamin W. Clark, vs. Riffs in Error, Alfred C. Hanner.

In Error to the Court of Appeals of the District of Columbia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

161. The Missouri, Kansas & Texas Railway Co., vs. Riffs in Error, McCann & Smizer.

The argument of this cause was continued by Mr. J. A. Rodes, of counsel for the defendants in error, and concluded by Mr. George P. B. Jackson, of counsel for the plaintiffs in error.

185. Henry W. Benjamin, Appellant, vs. The City of New Orleans. This cause was argued by Mr. S. U. Rogers, of counsel for the appellant, and, Mr. Baruch K. Miller, of counsel for the appellee

175. The Chicago, Burlington & Quincy Railroad Co., vs. Jessie Dier, The State of Nebraska ex rel. The City of Omaha — in error. The argument of this cause was commenced by Mr. Charles J. Greene, of counsel for the plaintiff

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 11th 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Frank H. Hazlett it is ordered that John B. Hale, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. Foraker it is ordered that Thomas A. Tracy, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

173. John A. McBride, Appellant, vs. The Grand De Tour Row Company et al. Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause having been called for hearing in due regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered, and adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

178. The Chicago, Burlington & Quincy Railroad Co., Plff in Error, vs. The State of Nebraska ex rel. The City of Omaha. The argument of this cause was continued by Mr. Charles J. Greene, of counsel for the plaintiff in error, and Mr. H. J. Connell, of counsel for the defendant in error, and concluded by Mr. Charles J. Greene, of counsel for the plaintiff in error.

174. The Louisville Water Co., Plff in Error, vs. The Commonwealth of Kentucky. This cause was argued by Mr. D. L. Burnett, of counsel for the plaintiff

James D. Helm, of Counsel for the defendant in error.

1803. Philip Lewis, Appellant, v. Charles R. Keagle, in his own right, and as guardian &c. Appellee.

The argument of this cause was commenced by Mr. Henry E. Davis, of Counsel for the appellant, and continued by Mr. J. Holdsworth Gordon, of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'Clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court opened

On motion first made to the Court in this behalf by Mr. Seabury C. Mastick it is ordered that Herman A. Heydt, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

182. The United States, Appellant
vs. Appeal from the Circuit Court of the United States for the Southern District of Ohio.
Robert W. Irvine.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Boyd, of counsel for the appellant, and he having moved the Court to dismiss the appeal

fore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

183. The United States, Appellant, vs. Joseph C. Stagner. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Boyd, of counsel for the appellant, and he saying moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

193. J. N. Carder, Appellant, vs. The Territory of Oklahoma, ex rel. Evan D. Cameron. Appeal from the Supreme Court of the Territory of Oklahoma.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

173. Philip Levis, Appellant, vs. Charles R. Langdon in his own right, and as guardian &c. The argument of this cause was continued by Mr. J. Holdsworth Gordon, of counsel for the appellee, and concluded by Mr. Henry E. Davis, of counsel for the appellant

191. The Smithsonian Institution, Appellant, vs. Levi S. Pleasants et al. This cause was argued by Mr. Frank W. Hackett, of counsel, for the appellant, and Mr. F. A. Mackey, of counsel for the appellees

192. The Green Bay & Mississippi Canal Company, Plff in Error, vs. The Patten Paper Co. Limited, def't in Error. On motion of Mr. William F. Giles, of counsel for the plaintiff in error, It is ordered by the Court that one hour additional be allowed for the argument of this cause, and that three counsel be allowed to argue the cause orally on behalf of the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Thursday, January 23d, 1908.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

Fred Rice Rowell, as Receiver,
vs.
Sarah Woodward, individually, and as Executrix of Henry S. Woodward, deceased.

In Error to the Supreme Court of the State of Washington.

No. 111.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

190. The Green Bay & Mississippi Canal Company, vs. Alfred Elwes, The Patten Paper Co. Limited, etal

The argument of this cause was commenced by Mr. B. J. Stevens, of Counsel for the plaintiff in error, and continued by Mr. Alfred L. Chew, Mr. George J. Greene and Mr. Moses Hooper, of counsel for the defendants in error, and Mr. William F. Giles, of Counsel for the plaintiff in error

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court
day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief J
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marsh
James H. McKenney, Clerk.

Proclamation being made, the Court is op

On motion, it is ordered that
by Mr. Charles L. Frailey, it is ordered
B. Johnson, Esquire, of New York City,
to practice as an attorney and counsel
Court and he was sworn accordingly.

No. 1510. The Green Bay & Mississippi Canal Company, Plaintiff in Error, vs. The Patten Paper Co., Limited, et al. Plaintiff in Error.

Plaintiff in error
this cause
concluded
William
Counsel

189 Henry M. Baker, Appellant, vs. Horace S. Cummings. The argument of this cause was commenced by Mr. S. T. Bond, of Counsel for the appellant, and continued by Mr. Franklin A. Mackey of Counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 17th 1887.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that A. C. Avery, Esquire, of Morganton, State of North Carolina, and David R. Murray, Esquire, of Cloverport State of Kentucky, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

76. George P. Melmore et al., Plffs in Error
v.
David Rymer, Sam. Rymer, Tom Rayne and Col. McConnell

In Error to the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

73.

States for the Eastern District of Tennessee and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter the judgment of dismissal.

Per Mr. Justice Shiras.

The Chicago, Milwaukee & St. Paul Railway Company, Plaintiff in Error, vs. Patrick K. Ellis. In Error to the Supreme Court of the State of [illegible].

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

1492. A. Howard Hiller, Executor of William M. Runk, deceased, vs. Plff in Error, The Mutual Life Insurance Company of New York. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Pennsylvania.

Per Mr. Justice Harlan.

(Mr. Justice Peckham took no part in the consideration and decision of this case.)

251. William Richardson, Trustee, vs. Plff in Error, The Louisville & Nashville Railroad Company, and M. A. Sullivan & Emily S. Sullivan, Executor and Executrix of D. F. Sullivan, deceased. In Error to the Supreme Court of the State of Florida.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was argued by counsel. On con-

sideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

199. The Gila Bend Reservoir & Irrigation Company, Appellant, v. H. N. Leem et al. On consideration of the motion for leave to amend the record herein, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

200. Sterling K. Holt et al, Appellants, v. The Indiana Manufacturing Company. On consideration of the motion to dismiss in this cause, and of the argument of Counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

535. The Washburn & Moen Manufacturing Company, Petitioner, v. The Reliance Marine Insurance Company, Limited. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

535. C. N. Bonworth, Receiver of The Chicago, Peoria & St. Louis Railway, Petitioner, v. Terminal Railroad Association of St. Louis. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

547. Robert Dunlap, Appellant, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday October 17th. next after the cases heretofore assigned for that day, or the cause will be taken on printed briefs on or before Monday April 4th.

Per Mr. Chief Justice Fuller

557. The First National Bank of Grand Forks Dakota, Plaintiff in Error, vs. Alexander Anderson. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be postponed for want of a printed record.

Per Mr. Chief Justice Fuller

562. Robert A. Smiley, Petitioner, vs. Samuel M. Barton. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well, in support of as against the same, It is ordered by the Court that said petition be

and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

(Mr. Justice Brewer took no part in the disposition of this application.)

558 James H. Wilson, Plff in Error vs. The State of North Carolina on the relation of L. C. Caldwell

559 S. Ochs Wilson, Plff in Error vs. The State of North Carolina on the relation of John H. Pearson.

The motions for an attachment for contempt and writs of mandamus in these cases were submitted to the consideration of the Court by Mr. R. O. Burton, in support of the same, and Mr. James C. MacRae, Mr. W. A. Guy and Mr. A. C. Avery, in opposition thereto.

94. Boyden Power Brake Co., et al., Appellants, vs. George Westinghouse Jr. et al.

116. George Westinghouse, Jr., et al., Appellants, vs. Boyden Power Brake Co., et al.

Mr. Melville Church in behalf of counsel, in these cases submitted to the consideration of the Court a request that the Court indicate the questions for reargument in these cases.

498. La Abra Silver Mining Co., Appellants, vs. The United States.

The motion that the constitutional objections to the jurisdictional act be first heard and determined were submitted to

the consideration of the Court by Mr. Cammack, Kennedy, in support of the same, and Mr. William G. Mackey, in opposition thereto.

257. A. M. Thomas et al. Appts. vs. Lucy Reed et al.)
434. L. S. Gay et al. Appts. vs. A. M. Thomas et al.)
252. D. Wagoner et al. Appts. vs. Neil McEvans, Executor et al.)
262. Neil McEvans, Executor et al. vs. D. Wagoner et al.)

On motion of Mr. J. M. Allen leave is hereby granted him to file printed briefs herein on or before Wednesday next.

150. Lowry W. Humes, Appellant, vs. The United States. (On motion of Mr. Joseph Wheeler, of Counsel for the plaintiff in error) It is ordered by the Court that this cause be and the same is hereby assigned for argument on Monday, February 21st after the cases heretofore assigned for that day.

Do. Ransom Payne et al. Appellants, vs. W. S. Robertson et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. D. Luckett and Mr. J. W. Daniel, of Counsel for the appellants, and Mr. Solicitor General Richards, Mr. Bayard T. Storey and Mr. Horace Speed, of Counsel for the appellees, and leave was granted Counsel to file additional briefs within ten days.

184. Henry M. Baker, Appellant, vs. Horace S. Cummings. The argument of this cause was continued by Mr. Franklin A. Mackey, of counsel for the appellant, and concluded by Mr. George F. Edmunds, of counsel for the appellant.

185. A. Backus, Jr., & Sons et al., Plffs in Error, vs. The Fort Street Union Depot Co. The argument of this cause was commenced by Mr. Don M. Dickinson, of counsel for the plaintiffs in error, and continued by Mr. Fred A. Baker, of counsel for the defendant in error.

(Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
Horace Gray,
David J. Brewer, } Associate
Henry B. Brown, } Justices.
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham.

John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court opened.

503. Clarence P. Elder, Appellant, vs. The United States. } Appeal from the Court of Private Land Claims.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed.

Per Mr. Chief Justice Fuller.

55. A. Backus, Jr., Doing &c., Plaintiff in Error, vs. The Fond du Lac &c. } The argument of this cause was,

Fred. A. Baker, of Counsel for the defendant in error, and concluded by Mr. Don M. Dickinson, of Counsel for the plaintiffs in error.

192. Daniel Dull et al., plaintiffs in error, vs. John E. Blackman et al., defendants in error.

The argument of this cause was commenced by Mr. H. G. Safford of Counsel for the

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
John M. Knight, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

1892. Daniel Dull et al
vs.
John E. Blackman et al.

The reargument of this cause was continued by Mr. N. G. Safford, of counsel for the plaintiffs in error, and Mr. H. S. Greene of counsel for the defendants in error, and concluded by Mr. F. N. Flickinger, of counsel for the plaintiffs in error.

1894. Herman Keck,
vs.
The United States

The argument of this cause was commenced by Mr. Francis B. James, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at eleven o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion duly made to the Court in this behalf, by Mr. J. F. Shafroth it is ordered that Fred Herrington, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. 1414. Herman Keck, Plff in Error, vs. The United States.

On motion of Mr. Francis B. James, of Counsel for the plaintiff in error, leave is hereby granted him to file an additional brief herein.

No. 1414. Herman Keck, Plff in Error, vs. The United States.

The argument of this cause was continued by Mr. Francis B. James for

sel for the plaintiff in error, and Mr. Assistant Attorney General Hoyt, of Counsel for the defendant in error, and concluded by Mr. James M. Beck of Counsel for the defendant in error.

154. The United States, Appellant, vs. Alexander Murphy. This cause was argued by Mr. Solicitor General Richards, of Counsel for the appellant, and Mr. W. Wickham Smith, of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, January 21st 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal,
James A. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. M. M. Crane it is ordered that James A. Baker Jr. Esquire, of Houston, State of Texas, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

293. J. Henry Jurgens, Sheriff &c., Appellant, vs. Got Sing. Mr. Thomas H. Carter, of counsel, for the appellant, submitted to the consideration of the Court a motion to advance this cause.

200 Mary M. Black, Mary N. Black & Daniel N. Black vs. Plffs in Error, Mary K. L. Shoot. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 16th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

201 John L. Brown, Assignee, vs. Plff in Error, The Marion National Bank of Lebanon, Kentucky. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. J. McDermott, of counsel for the plaintiff in error, and Mr. W. J. Lisle, of counsel for the defendant in error.

53. Charles C. Barrett, Plff in Error, vs. The United States,
175. Charles C. Barrett, Plff in Error, vs. The United States.

These cases were argued by Mr. Charles C. Lancaster, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Boyd, of counsel for the defendant in error.

1191. The Galveston, Harrisburg & San Antonio Railway Co. et al. vs. The State of Texas. (Affs in Error, for the plaintiffs in error.

Arrangement of this cause was commenced by Mr. Joseph Taylor Blair, of counsel

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham.
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that Edmund F. Dunne, Esquire, of St. Paul, State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. L. Riley, it is ordered that J. Dunlap Esquire, of Steubenville, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made [illegible]

by Mr. Joseph H. Choate it is ordered that Charles A. Tuttle, Esquire, of Bayonne, State of New Jersey be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. Sommerville it is ordered that Thayer Melvin, Esquire, of Wheeling, State of West Virginia be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Akin it is ordered that Thomas A. Moran, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Perry it is ordered that Philip Pitt Campbell, Esquire, of Pittsburg, State of Kansas be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

93. The Northern Pacific Railroad Company et al., Plffs in Error, vs. Patrick R. Smith

It is ordered by the Court that this cause be, and the same is hereby

assigned for reargument on Monday, March 7th next, after the cases heretofore assigned for that day.

Per Mr Chief Justice Fuller.

99. Boyden Power Brake Co. et al., Appellants, vs. George Westinghouse, Jr., et al.

116. George Westinghouse, Jr. et al., Appellants, vs. Boyden Power Brake Co. et al.

On consideration of the request of counsel in these cases, that the Court indicate the questions for reargument herein, the Court, without undertaking to restrict the scope of the argument, directs the attention of counsel particularly to the inquiry whether, in view of the state of the art, including the patents to Westinghouse, the proceedings in the Patent Office, and its own terms, the patent sued upon can be sustained as a patent for a process or method.

Per Mr. Chief Justice Fuller.

498. La Abra Silver Mining Co., Appellant; vs. The United States.

On consideration of the motion that the Constitutional objections to the jurisdictional act be first heard and determined, and of the argument of counsel thereupon had as well in support of as against the same,

motion be, and the same is hereby, denied; but when the case is called for argument, counsel will be expected to discuss in the first instance these questions:

Whether the Court of Claims had jurisdiction of this case?

Whether this Court has jurisdiction of this appeal?

Whether the appellate jurisdiction, if any, of this Court, extends to a review of the facts?

Per Mr. Chief Justice Fuller.

161. The Missouri, Kansas & Texas Railway Company, v. Cliff in Error, McCann & Smizer. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument.

Per Mr. Chief Justice Fuller.

193. J. Henry Jurgens, Sheriff &c., v. Appellant. Yet Sing. On consideration of the motion to advance this cause, it is nowhere ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, October 17th next, after the cases heretofore assigned for that day, unless sooner reached in the regular call of the docket.

Per Mr. Chief Justice Fuller.

552. Lars Thompson, Plff in Error, vs. The State of Wisconsin. Mr. J. L. Rawlins, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

53. Charles P. Barrett, Plff in Error, vs. The United States,
175. Charles P. Barrett, Plff in Error, vs. The United States.

On motion of Mr. Assistant Attorney General Boyd, of counsel for the defendant in error, leave is hereby granted him to file an additional brief herein within three days.

Ex parte In the matter of Jesse G. Boggs, Petitioner. Mr. James Hamilton Lewis, of counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus.

567. The Board of Supervisors of the County of Presque Isle, Petitioner, vs. William J. Ashley. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. N. M. Duffield, in support of the same, and Mr. C. E. Warner, in opposition thereto.

1498. La Abra Silver Mining Co., Appellant, vs. The United States. The motion to reassign this cause for argument at the next term was submitted to the consideration of the Court by Mr. J. M. Wilson, in support of the same, and Mr. William A. Maury, in opposition thereto.

368. The Territory of New Mexico, Appellant, vs. The United States Trust Co. of New York et al.

1458. The Territory of New Mexico, Appellant, vs. The United States Trust Co. of New York et al.

1459. The Territory of New Mexico, Appellant, vs. The United States Trust Co. of New York et al. Mr. A. B. Browne, in behalf of counsel, submitted to the consideration of the Court a motion to advance these cases.

1421. The Galveston, Harrisburg & San Antonio Railway Co. et al., Plffs in Error, vs. The State of Texas. The argument of this cause was continued by Mr. Joseph Paxton Blair, of counsel for the plaintiffs in error, and concluded by Mr. M. M. Crane, of counsel for the defendant in error, and leave was granted Mr. Blair to file an additional brief herein, and to Mr. Crane to file a reply thereto.

406. The Houston & Texas Central Railway Co. et al. vs. Effie Finn, The State of Texas.

The argument of this cause was commenced by Mr. R. S. Lovett, of counsel for the plaintiff in error and continued by Mr. M. M. Crane, of counsel for the defendant in error, and Mr. R. S. Lovett, of counsel for the plaintiff in error, and leave was granted Mr. Crane to file an additional brief herein, and to Mr. Lovett to file a reply thereto.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 25th. 1898.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. K. Mendenhall it is ordered that O. H. Hildenmuth, Esquire, of Guthrie, Territory of Oklahoma, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly. 406

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that John W. Beaumont, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly. 1014

On motion first made to the Court in this behalf

On motion of Mr. William F. Mattingly it is ordered that Lucius M. Cuthbert, Esquire, of Denver, State of Colorado be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Perry it is ordered that J. Jay Buck and E. W. Cunningham, Esquires, of Emporia, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. D. Guthrie it is ordered that George A. Jay, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Houston & Texas Central Railway Co. et al., vs. The State of Texas.

The argument of this cause was concluded by Mr. K. L. Lovell, counsel for the plaintiffs in error.

The Pittsburg, Cincinnati, Chicago & St. Louis Railway Co., Appellant, vs. The Board of Public Works of the State of West Virginia.

This cause was submitted to the consideration of the Court on the record and printed

Mr. J. Dunbar and Mr. J. B. Sommerville, of counsel for the appellant, and Mr. T. S. Ril
Mr. Edgar P. Rucker and Mr. Thayer Mel
of counsel for the appellee.

45. Josephine H. Shipperman, Appellant,
vs.
The Steamship Carib Prince &c.

74. The Franklin Sugar Refining Co., Appellant,
vs.
The Steamship Silvia &c.

83. Climaco Calderon, Appellant,
vs.
The Atlas Steamship Co., Limited.

It is ordered by the Court that these cases and they are hereby, reass for argumen Monday, Fe next after cases then ag assigned for th

Per Mr. Chief Justice Fuller.

94. Elizabeth Wetzel et al., Appellants,
vs.
The Minnesota Railway Transfer Co., et al.

The argument in this cause was co menced by Mr. Ernest Howa Hunter, of Cou for the appellants, continued by Mr. C. K. K of counsel for the appellees, and concluded Mr. John M. Hinsdale, of counsel for the appel

Proclamation being made the Court is adjourn until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.,
James H. McKenney Esq. Clerk.

Proclamation being made, the Court is opened,

The Honorable Joseph McKenna appeared and produced the following Letters Patent and Oaths of Office, which were read in open Court and ordered to be recorded upon the minutes, viz:

William McKinley,

President of the United States of America,

To all who shall see these Presents, Greeting:

Know Ye, That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Joseph McKenna of California, I have nominated, and by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the United States, and do

and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Joseph McKenna during his good behavior.

In testimony whereof, I have caused these Letters to be made Patent and the seal of the Department of Justice to be hereunto affixed.

(Seal) Given under my hand at the City of Washington the 26th day of January in the year of our Lord one thousand eight hundred and ninety-eight and of the Independence of the United States of America the one hundred and twenty second.

By the President: William McKinley.

John K. Richards,
Acting Attorney General.

I, Joseph McKenna, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about

to enter: So help me God.

(Joseph McKenna.)

Subscribed and sworn to
before me this twenty-sixth
day of January, A.D. 1898.
Melville W. Fuller
Chief Justice of the United States.

I, Joseph McKenna, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.

(Joseph McKenna.)

Subscribed and sworn to
before me this 26th day of
January, A.D. 1898.
(Seal) James H. McKenney
Clerk of the Supreme Court
of the United States

On motion first made to the Court in this behalf, by Mr. David Temple it is ordered that Rufus J. Edwards, Esquire, of Phoenix, Territory of Arizona, be admitted to practice as an attorney

accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that Francis A. Fenham, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. G. Newlands it is ordered that A. R. Bigelow, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

326. John H. Baker, Sheriff &c., Appt. vs. William Grice,
327. John H. Baker, Sheriff &c., Appt. vs. F. A. Austin,
328. John H. Baker, Sheriff &c., Appt. vs. H. E. Hawkins,
329. John H. Baker, Sheriff &c., Appt. vs. Arthur M. Finley.

These cases were argued by Mr. M. M. Crane, of counsel for the appellant, and Mr. George Clark and Mr. Joseph H. Choate, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. David B. Henderson it is ordered that Herbert M. Heath, Esquire, of Augusta, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

Mrs. A. E. Fitzhugh &c.
her husband L. A. Fitzhugh
vs. Petitioners
Mrs. Fisher Hazzard &c.

Mr. George Clark, in behalf of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to prosecute the petition for a writ of certiorari herein in forma

268. The Missouri, Kansas & Texas Railway Co., vs. Piff in Error, Charles Haber et al.

On motion of Mr. James Hagerman, of Counsel, leave is hereby granted this Counsel to argue this cause for each side.

268. The Missouri, Kansas & Texas Railway Co., vs. Piff in Error, Charles Haber et al.

Reargument of this cause was commenced by Mr. James Hagerman, of Counsel for the plaintiff in error, and continued by Mr. F. M. Sedgwick, of Counsel for the plaintiff in error, and Mr. E. W. Cunningham, Mr. J. Jay Buck and Mr. W. C. Perry, of Counsel for the defendants in error, and concluded by Mr. Simon Sterne, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown Associate
George Shiras, Jr. Justices
Edward D. White
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. John A. Mitchell it is ordered that Charles Neilson, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. A. Moran it is ordered that James A. Brady, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

by Mr. A. J. Hopkins it is ordered that John Lynch, Jr. Esquire, of Olney, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. John S. Little it is ordered that Oscar L. Miles, Esquire, of Van Buren, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

268. The Missouri, Kansas & Texas Railway Co., vs. Plff in Error, Charles Haber et al. On motion of Mr. James Hagerman, of counsel for the plaintiff in error, leave is hereby granted him to file a supplemental brief herein and to counsel for the defendants in error to reply thereto if they desire to do so.

425. Josephine C. Drake et al, Executors &c, vs. Plffs in Error, D. H. Kochersperger, County Treasurer &c.

463. Elizabeth E. Sawyer et al, Executors &c, vs. Plffs in Error, D. H. Kochersperger, County Treasurer &c.

464. Jessie Norton Torrence Magoun, vs. Appellant, Illinois Trust & Savings Bank, Exec. &c, et al.

The argument of these cases was commenced by Mr. William D. Guthrie, of counsel for the plaintiffs in error and appellant, and continued by Mr. Edward C.

T. A. Moran, of counsel for the defendants in error and appellees, and concluded by Mr. Benjamin Harrison, of counsel for the plaintiffs in error and appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 31st 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that William J. Hughes, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Harrison H. Voorhees, Esquire, of Camden, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Mr. C. W. Needham it is ordered that Charles A Bartlett, Esquire of Bangor, State of Maine be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew Wilson it is ordered that Franklin Leonard, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

559. James H. Wilson
vs. Plff in Error,
The State of North Carolina
on the relation of L. C. [illegible]

On consideration of the petition of the plaintiff in error in this cause, It is now here ordered by the Court that cause be shown by the defendant in error herein before this Court, at Washington, on Monday, February 21st, 1898, at 12 o'clock Noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller

559. S. Otho Wilson
vs. Plff in Error,
The State of North Carolina by Jeh. T. Walker, Attorney General, on the relation of John H. Pearson

On consideration of the petition of the plaintiff in error in this cause, It is now here ordered by the

error herein before this Court, at Washington, on Monday, February 21st, 1898, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why the prayer of said petition should not be granted.

Per Mr. Chief Justice Fuller.

368. The Territory of New Mexico, Appellant; vs. The United States Trust Co., of New York et al. } On consideration of the motion to advance these cases, it is now here ordered by the Court that said motion be, and the same is, hereby, granted and the cases assigned for argument, as one case, on Monday, October 17th next, after the cases heretofore assigned for that day.

458. The Territory of New Mexico, Appellant; vs. The United States Trust Co., of New York, et al. }

459. The Territory of New Mexico, Appellant; vs. The United States Trust Co., of New York et al. }

Per Mr. Chief Justice Fuller.

553. Lins Thompson, Plff in Error, vs. The State of Utah. } On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 21st next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

567. The Board of Supervisors of the County of Prairie Lake, Petitioners, vs. William J. Ashley. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

Mrs. A. E. Fitzhugh and her husband, L. A. Fitzhugh, Petitioners, vs. Mrs. Fisher et al. On consideration of the motion for leave to prosecute the petition for a writ of certiorari herein in forma pauperis, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

498. La Abra Silver Mining Co. vs. The United States. Appellant. On consideration of the motion to reassign this cause for argument at the next term, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby denied.

the cause re-assigned for argument on Monday, October 17th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

188. Henry H. Benjamin, Appellant, vs. The City of New Orleans, Appellee. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

534. A. B. White, Collector &c., et al., Appts, vs. H. C. Berry.
540. A. B. White, Collector &c., et al., Appts, vs. William Butler.
541. A. B. White, Collector &c., et al., Appts, vs. J. G. Rueckman.

On motion of Mr. Assistant Attorney General Boyd, of counsel for the appellants, It is ordered by the Court that these cases be, and they are hereby, advanced and assigned for argument on Monday, March 7th next, after the cases heretofore assigned for that day.

505. James P. Merritt et al., Appellants, vs. The President and Trustees of Bowdoin College et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. William A. Maury, Mr. E. S. Pillsbury, Mr. Thomas H. Hubbard, Mr. George M. Williams and Mr. Robert H. Gaynor in support of the same, and Mr. A. T. Sutton and Mr. A. B. Browne in opposition thereto.

114. Pullman's Palace Car Co. vs. Central Transportation Co.

496. Pullman's Palace Car Co., Petitioner, vs. Central Transportation Co.

On motion of Mr. Frank P. Prichard, of counsel for the appellee and respondent, it is ordered by the Court that these causes be, and they are hereby, assigned for argument on Monday, March 7th next, after the cases heretofore assigned for that day.

157. Henry C. King, Plff in Error, vs. M. B. Mathews et al.

On motion of Mr. M. F. Stiles, of counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, March 7th next, after the cases heretofore assigned for that day.

561. The Guarantee Company of North America, Petitioner, vs. The Mechanics Savings Bank & Trust Co., use of J. J. Pugh, Assignee. The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed argument by Wm. W. L. Granberry and M. Albert D. Marks, in support of the same.

43. The Northern Pacific R.R. Co. et al vs. Plffs in Error. Patrick R. Smith. On motion of Mr. C. W. Holcomb, leave is hereby granted him to file a printed brief in this cause.

Proclamation being made the Court is adjourned until Monday, February 7th next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that John H. Griggs, Esquire, of Paterson, State of New Jersey, and John R. Walker, Esquire, of Kansas City, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Wheeler it is ordered that William J. Wood, Esquire, of Florence, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that Thomas B. Womack, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Connolly it is ordered that Gustavus A. Koerner, Esquire, of Belleville, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Waldegrave Hurlbert, Esquire, of New York City, and Samuel B. Finney, Esquire, of Fargo, State of North Dakota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Henry R. Pollard and A. Montague, Esquires, of Richmond, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. H. Maxley it is ordered that W. Mosby Williams, Esquire, of Washington, District of

Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. John M. Thurston it is ordered that Warren Sibitzler, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. Charles F. J. Beale it is ordered that Authajire Waugh McCulloch, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. Zeb Tobriner it is ordered that Isaac H. Mordlinger, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. H. Randall Webb it is ordered that Joseph Jackson Waters, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he

On motion first made to the Court in this behalf, by Mr. George F. Edmunds it is ordered that James A. Logan, Esquire, of Philadelphia, State of Pennsylvania, Thomas Hedge, Esquire, of Burlington, State of Iowa, and Fairfax Harrison, Esquire, of New York City, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Andrew Wilson it is ordered that Lindley Fogg, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. J. B. Strode it is ordered that Addison S. Tibbets, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. G. W. Kretzinger it is ordered that Elisha D. Hamilton, Esquire, of Quincy, and Charles Arnd, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

The Solicitor General presented to the Court, Hon. John W. Griggs, Attorney General and his Commission was ordered to be recorded, as follows, viz:

William McKinley,
President of the United States of America,
To all who shall see these Presents, Greeting:
Know ye, That reposing special trust and confidence in the Patriotism, Integrity, and Abilities of John W. Griggs, of New Jersey, I have nominated, and, by and with the advice and consent of the Senate, do appoint him to be Attorney General, and do authorize and empower him to execute and fulfil the duties of that Office according to law and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto him the said John W. Griggs subject to the conditions prescribed by law.

In testimony whereof, I have caused these Letters to be made Patent, and the Seal of the United States to be hereunto affixed. Given under my hand, at the City of Washington, the 25th day of January, in the year of our Lord one thousand eight hundred and ninety-eight, and of the Independence of the United

(Seal)

Hundred and twenty-second.
William McKinley.

By the President:
John Sherman
Secretary of State.

105. The United States, Appellant
vs.
The Commissioners of the Sinking Fund of the City of Louisville and The City of Louisville.
Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Mr. Justice Peckham.

167. The Commissioners of the Sinking Fund of Logan County and The County of Logan, Kentucky, Appellants,
vs.
The United States.
Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court

336.

337.

that the judgment of the said Court below
the Cause be and the same is hereby affirmed.
Per Mr. Justice Peckham.

John H. Baker, Sheriff of McLennan County, Texas, Appellant, vs. William Bee. Appeal from the Circuit Court of the United States for the Northern District of Texas.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that the cause be and the same is hereby remanded to the said Circuit Court with directions to set aside the order discharging the Prisoner and to enter an order remanding him to the Custody of the Sheriff.
Per Mr. Justice Peckham.

John H. Baker, Sheriff of McLennan County, Texas, Appellant, vs. F. J. Stanton. Appeal from the Circuit Court of the United States for the Northern District of Texas.

This Cause came on to be heard on the transcript of

for the Northern District of Texas, and was
gued by counsel On consideration whereof,
is now here ordered, adjudged, and decreed
this Court that the order of the said Circuit C
in this cause be, and the same is hereby, rev
with costs; and that this cause be, and it
same is hereby, remanded to the said Circu
Court with directions to set aside the orde
discharging the prisoner and to enter an
order remanding him to the custody of the
Sheriff.

Per Mr Justice Peckham

338. John H. Baker, Sheriff of McLennan County, Texas, v. H. E. Hawkins. Appeal from the Cir Court of the United S for the Northern District of Texas.

This cause came on to be heard on the transcri
of the record from the Circuit Court of the Unit
States for the Northern District of Texas, and w
argued by counsel. On consideration whereo
it is now here ordered, adjudged, and decre
by this Court that the order of the said Circuit
Court in this cause be, and the same is hereb
reversed with costs; and that this cause be, a
the same is hereby, remanded to the said C
cuit Court with directions to set aside the or
discharging the prisoner and to enter an orde
remanding him to the custody of the Sheriff.

Per Mr Justice Peckham

339. John W. Dixie, Sheriff of McLennan County, Texas, Appellant, vs. Arthur M. Ex parte. Appeal from the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that the discharge and the same is hereby, remanded to the said Circuit Court with directions to set aside the order discharging the prisoner and to enter an order remanding him to the custody of the Sheriff.

Per Mr. Justice Peckham.

172. The Richmond & Alleghany Railroad Company, Plaintiff in Error, vs. The R. A. Patterson Tobacco Co. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the

in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

165. Henry M. Baker, Appellant, vs. Horace S. Cummings. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to set aside the decree of the Supreme Court of the District of Columbia, and to remand the cause to that Court with instructions to dismiss the bill.

Per Mr. Justice White.

166. The United States, Appellant, vs. Dixon M. Gerlinger. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the

judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the claimants petition.

Mr. Justice Brown

A. M. Thomas et al, vs The Board of County Commissioners of Kay County, Oklahoma Territory et al.

287. vs. Appellees. Appeals from the Supreme Court of the Territory of Oklahoma.

D. P. Gay and A. S. Reed, partners as Gay & Reed, et al.

D. P. Gay and A. S. Reed, partners as Gay & Reed, et al.

vs. Appellants.

1437. A. M. Thomas et al, vs The Board of County Commissioners of Kay County, Oklahoma Territory et al.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, on appeal and cross-appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed, all costs in this Court to be paid by the plaintiffs, Gay & Reed et al; and that this cause be, and the same

with directions to proceed in accordance with the opinion of this Court.

Per Mr. Justice Shiras.

74. Elizabeth Metzel et al., Appellants, vs. The Minnesota Railway Transfer Company et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

Per Mr. Justice Brown.

75. J. B. Cessna, Kate Cessna, his wife, John R. Keedle et al., Appellants, vs. The United States et al. Appeal from the Court of Private Land Claims.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by

this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is, hereby, affirmed.

(Per Mr. Justice Brewer.)

Daniel Dall and Nellie M. Dall, Appellants,
vs.
John E. Blackman et al. Trustees, E. N. Dasher and Simon B. Wright,

142. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brewer.)

Edward M. Willis and William H. Johnson, Assignees, Petitioners,
vs.
The Eastern Trust and Banking Company.

383. On writ of certiorari to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now

the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to affirm the judgment of the Supreme Court of the District of Columbia.

Per Mr. Justice Gray.

173. Philip Loris, Appellant, vs. Charles R. Kengla, in his own right, and as guardian of the infant defendants Edith Louise Kengla and Eunice Marie Kengla. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

201. John L. Brown, as assignee of Lafayette and E. B. Butler, vs. Aff in Error, The Marion National Bank of Lebanon, Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript

of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Daniel.

53. Charles P. Barrett, Plaintiff in Error, vs. The United States. In Error to the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Taney.

175. Charles P. Barrett, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the Western District of South Carolina.

of the record from the District Court of the United States for the Western District of South Carolina, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

159. The United States, Appellant, vs. Alexander Murphy & Co. } On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the Circuit Court of the United States for the Southern District of New York in this cause be, and the same are hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to affirm the decision of the Board of General Appraisers.

Per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court would adjourn from to-day until Wednesday.

Order.

There having been an Associate Justice of this Court appointed since the commencement of this term, It is ordered that the following allotment be made of the Chief Justice and Associate Justices among the Circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Horace Gray, Associate Justice.
" " Second " Rufus W. Peckham, " "
" " Third " George Shiras Jr., " "
" " Fourth " Melville W. Fuller, Chief Justice.
" " Fifth " Edward D. White, Associate Justice.
" " Sixth " John M. Harlan, " "
" " Seventh " Henry B. Brown, " "
" " Eighth " David J. Brewer, " "
" " Ninth " Joseph McKenna, " "

Per Mr. Chief Justice Fuller.

Order.

The Reporter having represented that, owing to the number of the decisions of this term, it will be impracticable to put the reports in one volume. It is, therefore, now here ordered that he publish an additional volume of this year, pursuant to Section 681 of the Revised Statutes.

Per Mr. Chief Justice Fuller.

579. The De La Vergne Refrigerating Machine Company, Petitioner, vs. The German Savings Institution et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. H. Aldrich and Mr. F. O. Lehmann, in support of the same, and Mr. Simeon Smith, in opposition thereto.

150. Lowry H. Humes, Plff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Green, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Boyd, of counsel for the defendant in error, with leave to counsel to file additional briefs on or before Monday next.

566. Platt Rogers, Mayor &c., et al, Plffs in Error, vs. Samuel B. Morgan. Mr. J. F. Shafroth, in behalf of counsel for the defendant in error, suggested the death of Samuel B. Morgan, the defendant in error herein, and moved the Court to admit Ellen Theresa Morgan, Alice Morgan Harrison, Jessie Morgan and Edward B. Morgan, heirs, of the said Samuel B. Morgan, the parties defendants in error in this cause. Whereupon, It is now hereordered by the Court that the said Ellen Theresa

Morgan, Alice Morgan Harrison, Jessie Morgan and Edward B. Morgan, Heirs of Samuel B. Morgan, deceased, be, and they are hereby, made the parties defendants in error in this cause.

409. William C. Fitts, Attorney General, et al., Appellants, vs. Charles M. McGhee & Henry Fink, Receivers, &c. } Mr. William C. Fitts, of Counsel for the appellants, submitted to the consideration of the Court a motion, to advance this cause.

584. Amadee D. Moran et al., Purchasing Trustees, Petitioners, vs. Charles Dillingham, } The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. E. W. Campbell, in support of the same.

587. Chauncey W. Dodge et al., Petitioners, vs. Abraham L. Strasburger et al. } The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. H. O'Connor, Mr. Chapin Brown, and Mr. Henry F. Dixie, in support of the same, and Mr. Leon Tobriner and Mr. Isaac W. Nordlinger, in opposition thereto.

327. C. A. Warren, Appt.,
v. Appeal from D. C.
Bertrand L. Chandos et al.

The motions to dismiss or affirm, in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Horace G. Hall, in support of the same, and Mr. J. C. Bates, in opposition thereto.

Mot. The U. S. ex rel. Alfred L. Bernardin, Petr.,
v. Writ of Error,
Benjamin Butterworth, Commissioner of Patents.

Mr. J. C. Dowell, of counsel for the plaintiff in error, suggested the death of Benjamin Butterworth, and submitted to the consideration of the Court a motion to substitute C. A. Snell, Commissioner of Patents, as the party defendant in error, and leave was granted Mr. J. M. Wilson to file suggestions in opposition thereto.

580. Charles E. Pope, Receiver &c., Petitioner,
v.
The Louisville, New Albany & Chicago Railway Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John S. Miller and Mr. H. C. Fishback, in support of the same, and Mr. G. H. Kretzinger, in opposition thereto, with leave to counsel for petitioner to file a brief in reply within three days.

590. George C. H. Mugander et al, vs. Petitioners, John S. Belt. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. Randall Webb and Mr. J. J. Waters in support of the same, and Mr. P. H. Marshall in opposition thereto, with leave to Mr. Marshall to file an additional brief on or before Wednesday next.

283. Standard Elevator Co. et al vs. Appellants Crane Elevator Co. et al. On motion of Mr. F. A. Freeman, in behalf of counsel, It is ordered by the Court that this cause be and the same is hereby continued until the next term, per stipulation of counsel.

17. Clarence E. Collins, vs. Plff in Error, The State of New Hampshire. On motion of Mr. Robert Mather, in behalf of counsel, It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument at the foot of the roll,

18. George Schollenberger, vs. Plff in Error, The Commonwealth of Pennsylvania.

87. George E. Paul, vs. Plff in Error, The Commonwealth of Pennsylvania.

88. J. Otis Paul, vs. Plff in Error.

March 7th next.

558. James H. Wilson, Plff in Error, vs. The State of North Carolina ex rel. L. C. Caldwell. } The motions for attachment for contempt and for writs of restitution in these cases were submitted to the consideration of the Court by Mr. R. O. Burton and Mr. Thomas N. Hill, in support of the same, and Mr. J. C. MacRae, Mr. W. H. Day, and Mr. A. C. Avery, in opposition thereto.

559. S. Otho Wilson, Plff in Error, vs. The State of North Carolina ex rel. John H. Pearson. } The motion to dismiss or affirm in these causes was submitted to the consideration of the Court on the records and printed arguments by Mr. J. C. MacRae, Mr. W. H. Day, and Mr. A. C. Avery, in support of the same, and Mr. R. O. Burton and Mr. Thomas N. Hill, in opposition thereto.

588. John A. Buckeley et al., Petitioners, vs. Russell & Company. } The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. A. S. Tibbets, Mr. Charles O. Wheeler, and Mr. J. H. Ames, in support of the same.

507. L. Z. and M. Z. Farwell, Appellants, vs. The United States. Appeal from the Court of Private Land Claims.

Appearing to the Court that the counsel for the appellants have filed authority to dismiss this appeal, Therefore, in pursuance of said authority, It is hereupon ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

504. Thomas J. Donaugh, Appellant, vs. A. Metler Manufacturing Co., et al. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. M. Rose and Mr. G. B. Rose, in support of the same, and Mr. John M. Elmo, in opposition thereto.

506. John Budzisz et al., Appellants, vs. Illinois Steel Company. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. E. Carter and Mr. E. H. Gary in support of the same, and Mr. Noble A. Cole, in opposition thereto.

14. A. A. McCullough
vs. Fifth Dist.
The Commonwealth of
Virginia.

The argument of this cause was commenced by Mr. Richard L. Maury, of Counsel for the Plaintiff in error, and continued by Mr. A. J. Montague and Mr. Henry K. Pollard, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until Wednesday next at twelve o'clock M.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court announced

On motion first made to the Court in this behalf by Mr. T. C. Catchings it is ordered that James O'Hara Esquire, of St. Joseph, and F. Herbert Ellsworth, Esquire, of Benton Harbor, both of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly

On motion first made to the Court in this behalf by Mr. S. H. Northway it is ordered that George M. Anderson, Esquire of Akron a State of Ohio be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly

154. Quincy A. Shaw, Plff in Error, vs. Murray M. Kellogg. This cause was submitted to the consideration of the Court, pursuant to the order of December 20, 1897, on the record and printed arguments by Mr. C. O. Wolcott and Mr. Joel F. Vaile, of counsel for the plaintiff in error, and Mr. John K. Smith, of counsel for the defendant in error.

19. A. A. McCullough, Plff in Error, vs. The Commonwealth of Virginia. The argument of this cause was continued by Mr. Henry R. Pollard, of counsel for the defendant in error, and concluded by Mr. William A. Maury, of counsel for the plaintiff in error.

21. T. N. Rhodes, Plff in Error, vs. The State of Texas. The argument of this cause was commenced by Mr. Thomas Hedge, of counsel for the plaintiff in error, continued by Mr. Milton Remley, of counsel for the defendant in error, and concluded by Mr. Robert Mather, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Knight, Esquire, Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered, that C. P. Spurr, Esquire, of Ravenna, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he came duly sworn and accordingly.

341. The United States, Appellant, vs. The Joint Traffic Association et al.

On motion of Mr. James C. Carter, of counsel for the appellees, It is ordered by the Court that their counsel be allowed to argue this case on behalf of

additional time for the argument.

341. The United States, Appellant, v. The Joint Traffic Association et al.

The argument of this cause was commenced by Mr. Solicitor-General Richards, of Counsel for the appellant, and continued by Mr. James C. Carter, of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made the Court is opened.

105. The United States, Appellant, v. The Commissioners of the Sinking Fund of the City of Louisville et al

On motion of Mr. Thomas Hunt, of counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in this cause.

314. The United States, Appellant, v. The Joint Traffic Association et al

The argument of this cause was continued by Mr. George F. Edmunds and Mr. E. J. Phelps of counsel for the appellees, and concluded by Mr. Solicitor General Richards of counsel for the appellant.

479. J. C. Anderson et al., Appellants, v. The United States.

The argument of this cause was commenced by Mr. R. E. Ball, of counsel for the appellants.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. F. B. Kellogg it is ordered that Jared Nourse, Esquire, of St. Paul, and George P. Flannery, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that F. C. Walcott, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Wayne Pinkerton it is ordered that Reuben Hatch, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Gustav Bissing, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

180.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Samuel A. Arnold, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. A. Smith it is ordered that W. Preston Hillinmeon, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. N. Low it is ordered that Andrew Gilhooly, Esquire, of New York City be admitted

to practice as attorney and Counsellor of this Court and hereon subscribed his name.

On motion first made to the Court in this behalf by Mr. William C. Mason it is ordered that Edward A. Brewster, Esquire, of Dixon, Lee County, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was accordingly

Julius A. Bixby, T. Darling and Charles Bryant, Appellants, vs. Joseph Hapgood, Appellee.

In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with Costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Illinois.

(Per Mr. Justice Clifford.)

Dissenting:
Mr. Justice Hunt.

181. Josiah S. Smith, Appellant, vs. Joseph Naphtaly, Appellee. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

Per Mr. Justice Peckham.

Dissenting: Mr. Justice Harlan.

170. Ransom Payne, Appellant, vs. N. S. Robertson, John Foster, H. C. Schnell and Xenophon Fitzgerald. Appeal from the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be

and the same is hereby, affirmed with costs.

Per Mr. Justice White

174. The United States, Appellant, vs. Lewis A. Eaton. } Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby modified by reducing the amount thereof to $3,389.07, and, as so modified, be, and the same is hereby, affirmed.

Per Mr. Justice White.

261. Albert F. Holden, Plff in Error, vs. Harvey Hardy, Sheriff of Salt Lake County, in the State of Utah. } In Error to the Supreme Court of the State of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Opinion of Mr. Justice Brewer. Per Mr. Justice Brewer.

164. Albert F. Holden, Plff in Error, v. Henry Hardy, Sheriff of Salt Lake County, in the State of Utah. In Error to the Supreme Court of the State of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby, affirmed with Costs. Per Mr. Justice Brewer.

Dissenting:
Mr. Justice Brewer and
Mr. Justice Peckham.

191. The Smithsonian Institution, Appellant, v. Levi W. Meech and Susan Maria Meech, his wife, Stephen T. Meech, H. W. Meech and Jeannette Meech, his wife, Lucy W. Lord and James Lander Lord, her husband. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause

be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to enter a decree in conformity with the opinion of this Court.

Per Mr. Justice Brewer.

(The Chief Justice did not sit in this case and took no part in its consideration.)

Order.

Ordered, That the table of fees and costs in the Circuit Courts of Appeals established, in pursuance of the act of Congress of February 19, 1897, by order of January 10, 1898, be, and the same is hereby, amended as to the item for "Preparing the record for the printer, indexing the same, supervising the printing and distributing the copies, for each printed page of the record and index 15 cts." by substituting twenty-five cents in place of fifteen cents, for each printed page, so that said order, as amended shall read as follows.

Ordered, in pursuance of the act of Congress of February 19, 1897, (29 Stat. 536, c. 263) that the following table of fees and costs in the Circuit Courts of Appeals be, and the same is hereby, established, to take effect on the first day of March, A.D. 1898, and no other fees and costs than those therein named shall thereafter be charged:

Entering an appearance	.25
Transferring a case to the Printed Calendar	1.00
Entering a continuance	.25
Filing a motion, order, or other paper	.25
Entering any rule, or making or copying any record or other paper, for each one hundred words.	.20
Entering a judgment or decree	1.00
Every search of the records of the Court and certifying the same	1.00
Affixing a certificate and a seal to any paper	1.00
Receiving, keeping and paying money, in pursuance of any statute or order of Court, one per cent. on the amount so received, kept and paid.	
Preparing the record for the printer, indexing same, supervising the printing and distributing the copies, for each printed page of the record & index	.25
Making a manuscript copy of the record, when required by the rules, for each one hundred words, (but nothing in addition for supervising the printing)	.20
Issuing a writ of error and accompanying papers, or a mandate or other process	5.00
Filing briefs, for each party appearing	5.00
Copy of an opinion of the Court, certified under seal, for each printed page (but not to exceed five dollars in the whole for any copy)	

Attorneys docket fee $20.00
per Mr. Chief Justice Fuller

561. The Guarantee Company of North America, Petitioner, vs. The Mechanics' Savings Bank and Trust Company for the use of J. J. Pryor, Assignee. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.
per Mr. Chief Justice Fuller

No. William C. Fills, Attorney-General, et al., Appellants, vs. Charles M. McGhee and Henry Fink, Receivers. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, October 17th next, after the cases heard to be assigned for that day, or the case will be taken on printed briefs on or before the first Monday of April next.

574. The De La Vergne Refrigerating Machine Company, Petitioner, vs. The German Savings Institution et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel, thereupon had, as well in support of as against the same, It is now here ordered by the Court, that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

584. Amadee D. Moran et al., Purchasing Trustees, Petitioners, vs. Charles Dillingham. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Chauncey H. Dodge and Henry D. Dodge, Executors &c. of Dodge, Brethren, et al.
vs. Petitioners
Abraham L. Shawhan et al

On petition for a writ of Certiorari to the Court of Appeals of the District of Columbia.

557.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

John A. Buckstaff and John Ellis
vs. Petitioners,
Russell & Company

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

558.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition &c. and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

596.	George C. W. Magruder and Eleanor A. K. Magruder, vs. John S. Bell.	On petition for a writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari to the Court of Appeals of the District of Columbia and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

327.	C. A. Warren, vs. Allin Error, Bertrand F. Chandler, Sarah E. Hardesty, Jennie Goodrich et al.	In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

509. Thomas J. Donaugh, Appellant, vs. A. Metter Manufacturing Company, Dickinson Hardware Company & W. M. Dickinson Hardware Co. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on a motion to dismiss which was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

Per M. Chief Justice Fuller.

154. Quincy A. Shaw, Plff in Error, vs. Murray M. Kellogg. On motion of Mr. Solicitor General Richards leave is hereby granted to file a revised brief herein on behalf of the United States.

Hold. The United States ex rel. Alfred L. Bernardin, vs. Benjamin Butterworth, Commissioner of Patents. On motion of Mr. Solicitor General, Richards leave, is hereby granted him to file suggestions on motion to substitute C. H. Duell, Commissioner of

three days.

4790. J. C. Anderson et al., Appellants, vs. The United States. The argument of this cause was continued by Mr. A. E. Ball, of counsel for the appellants, and Mr. John K. Baker, of counsel for the appellee, and concluded by Mr. A. E. Ball, of counsel for the appellants.

533. Henry Hopkins et al., Appellants, vs. The United States. The argument of this cause was commenced by Mr. L. C. Krauthoff, of counsel for the appellants.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna,

Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr. George Gray it is ordered that Alex. G. Cochran, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

533. Henry Hopkins et al., Appellants, vs. The United States. Argument of this cause was continued by Mr. L. C. Krauthoff, of Counsel for the appellants, and Mr. Samuel H. Moore, of Counsel for the appellee, and con-

the appellants

147. The State of Missouri ex rel. The Laclede Gas Light Co. vs. Michael J. Murphy, Street Commissioner &c. } Writ in Error.

Plaintiff in error.

The argument of this cause was commenced by Mr. Henry Hitchcock, of counsel for the

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

481. The North American Commercial Company vs. Plff in Error, The United States

On motion of Mr. Solicitor General, Richards, It is ordered by the Court that this cause &c., and the same is hereby re-assigned for argument at the foot of the list of assigned Cases for Monday, March 7th.

47. The State of Missouri ex rel. The Laclede Gas Light Co. vs. Plff in Error Michael J. Murphy, Street

The argument of this cause was continued by Mr. Henry

Counsel for the plaintiff in error, and Mr. H. G. Marshall, of counsel for the defendant in error, and concluded by Mr. Henry Hitchcock, of counsel for the plaintiff in error.

106. The New York Indians, Appellants, vs. The United States. The argument of this cause was commenced by Mr. Joseph H. Choate, of counsel for the appellants.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. G. Thompson it is ordered that Charles F. Mansfield, Esquire, of Mansfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John R. Bennett it is ordered that William Findlay Brown, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred E. Davis it is ordered that John E. Lasley, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Tawney it is ordered that Russell E. Shepherd, Esquire, of Austin, State of Minnesota, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. Sayers it is ordered that Louis R. Bryan, Esquire, of Velasco, and Grant A. Bush, Esquire, of Angleton, State of Texas, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

106. The New York Indians, Appellants, v. The United States. The argument of this Cause was continued by Mr. Joseph H. Choate, of Counsel for the appellants, and Mr. C. C. Binney, of Counsel for the appellee, and concluded by Mr. Joseph H. Choate, of Counsel for the appellants.

9. The Pettapsco Guano Co, vs. Appellant, The Board of Agriculture of North Carolina et al. Appellees.

The argument of this cause was commenced by Mr. Thomas N. Hill, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Friday, March 4th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James H. Hayden it is ordered that E. J. Hamersly, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

415. Benjamin Hawker, Plff in Error, vs. The People of the State of New York.

On motion of Mr. R. C. Taylor, it is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument at the foot of the call for to-day.

The Patapsco Guano Co. Appellant, v. The Board of Agriculture of North Carolina et al. On motion of Mr. R. H. Battle, of counsel for the appellees, leave is hereby granted three counsel to argue this cause on behalf of the appellees.

The Patapsco Guano Co. Appellant, v. The Board of Agriculture of North Carolina et al. The argument of this cause was continued by Mr. Thomas H. Hill, for the appellant, and Mr. R. H. Battle, Mr. J. C. L. Harris, and Mr. F. H. Busbee, of counsel for the appellees, and concluded by Mr. John W. Hinsdale, of counsel for the appellant.

553. Lars Thompson, Plaintiff in Error, v. The State of Utah. The argument of this cause was commenced by Mr. J. H. M. Whitecotton, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 7th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that John A. Lovely, Esquire, of Albert Lea, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that Vernon Boggs, Esquire, of Denver, State of Colorado, David M. Mulvane, Esquire, of Topeka, State of Kansas, and Franklin M. Collins, Esquire, of Lincoln, State of Nebraska, be admitted to practice as attorneys and counsellors of this Court and they were

accordingly.

On motion first made to the Court in this behalf by Wm. James C. Boyd it is ordered that Joseph H. Gaines, Esquire, of Charleston, State of West Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rochester Ford it is ordered that William Faxon, Jr, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Haines Conrad it is ordered that T. T. Vinson, Esquire, of Huntington, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harrington Putnam it is ordered that Lawrence Kneeland, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

38. The Central National Bank of Boston et al. vs. Aaron K. Stevens et al. In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Shiras.

Dissenting; Mr. Justice Peckham.

69.

55. A. Baelus, Jr., & Sons and Absalom Baelus, Jr., vs. The Fort Street Union Depot Company. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment

the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Mr. Justice Brewer dissenting:

Mr. Justice Harlan:

(Mr. Justice Brown took no part in the decision of this case.)

The Savings and Loan Society, Appellant, vs. Multnomah County, State of Oregon, and Lenumbra Kelly, Sheriff thereof. } Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Mr. Justice Gray:

Dissenting:

Mr. Justice Harlan and

Mr. Justice Shiras.

(Mr. Justice McKenna, not having been a member of the Court when this case was argued, took no part in the decision.)

Constantine J. Smyth, Attorney General, W. S. Porter, Secretary of State, John F. Cornell, Auditor of Public Accounts, J. B. Meserve, State Treasurer, and J. V. Wolfe, Commissioner of Public Lands and Buildings, Constituting The Board of Transportation of the State of Nebraska, et al., Appellants, vs. Oliver Ames, Oakes Ames, Frank M. Ames, et al. Appeal from the Circuit Court of the United States for the District of Nebraska.

No. 147. 50.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

The Chief Justice took no part in the consideration or decision of this case.

Mr. Justice McKenna was not a member of the Court when this case was argued and submitted and took no part in its decision.

Constantine J. Smyth, Attorney General, H. D. Porter, Secretary of State, John F. Cornell, Auditor of Public Accounts, and Hiram Bloomer, State Treasurer, and J. Wesley Gannett, Commissioner of Public Lands and Buildings, Constituting the Board of Transportation of the State of Nebraska, etc.,

vs. Appellants,

George Smith, Guardian of Beatrice Laurence Illegible et al.

Appeal from the Circuit Court of the United States for the District of Nebraska.

No.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

The Chief Justice took no part in the consideration or decision of this case.

Mr. Justice McKenna was not a member of the Court when this case was argued and submitted and took no part in its decision.

Constantine J. Smyth, Attorney General, H. D. Porter, Secretary of State, John F. Cornell, Auditor of Public Accounts, J. B. Meserve, State Treasurer, and J. V. Wolfe, Commissioner of Public Lands & Buildings, constituting The Board of Transportation of the State of Nebraska, et al.,

vs. Appellants,

Henry L. Higginson, Robert H. Gardner, William C. Hollis et al

Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, with costs.

(Per Mr. Justice Harlan.)

The Chief Justice took no part in the consideration or decision of this case.)

Mr. Justice McKenna was not a member of the Court when this case was argued and submitted, and took no part in its decision.

194. Herman Keck, Plff in Error, vs. The United States. In Error to the District Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed.

Per Mr. Chief Justice Fuller.

580. Charles E. Pope, Receiver of The Chicago & South Atlantic Railroad Company, Petitioner, vs. The Louisville, New Albany & Chicago Railway Company. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support thereof as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

223. The United States, Plff in Error, vs. Isaac N. Babcock et al. — In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of Counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

302. The United States, Appellant, vs. John Dobson. — Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of Counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

553. John Andersen, Plff in Error, vs. The United States. — Mr. Solicitor General Richards, of Counsel for the defendant in error, submitted to the

sideration of the Court a motion to advance this cause.

591. Flint, Eddy & Co., Appellant, vs. George Christall and James Greig, Trustees. M. J. Langdon Ward, in behalf of counsel submitted to the consideration of the Court a motion to advance this cause.

151. Ambrose P. S. Stuart, Appellant, vs. Kent K. Hayden, Receiver &c. and August F. Gentles et al. M. F. W. Collins, in behalf of counsel for Hayden, Receiver &c., submitted to the consideration of the Court a motion to modify the decree of this Court herein.

160. August F. Gentles et al, Appellants, vs. Ambrose P. S. Stuart et al.

553. Lars Thompson, Plff in Error, vs. The State of Utah. Reargument of this cause was continued by M. J. W. M. Whitecotton of counsel for the plaintiff in error, and M. L. P. Michener of counsel for the defendant in error, and concluded by M. J. M. M. Whitecotton, of Counsel for the plaintiff in error.

115. Josephine N. Huppenman, Appellant, v. The Steamship Canada Prince &c.

The argument of this cause was commenced by Mr. Harrington, Pulman, of counsel for the appellant, and continued by Mr. J. Parker Kirlin, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
" John M. Harlan
" Horace Gray
" David J. Brewer
" Stephen J. Field
" George Shiras, Jr.
" Edward D. White
" Rufus W. Peckham
" Joseph McKenna

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

Edward J. Delaney, Executor &c., Plff in Error,
vs.
The City and County of San Francisco. Defendant in Error.

In Error to the Supreme Court of the State of California.

219.

It appearing to the Court that a stipulation of Counsel for the respective parties to dismiss the writ of error in this cause for want of jurisdiction and without prejudice has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for want of

85. Josephine W. Wupperman, Appellant, vs. The Steamship "Carib Prince" &c. The argument of this cause was continued by Mr. J. Parker Kirlin, of counsel for the appellee, and concluded by Mr. Harrington Putnam, of counsel for the appellant.

77. The Franklin Sugar Refining Co., Appellant, vs. The Steamship "Silvia" &c. The argument of this cause was commenced by Mr. C. C. Burlingham, of counsel for the appellant, continued by Mr. J. Parker Kirlin, of counsel for the appellee, and concluded by Mr. Harrington Putnam, of counsel for the appellant.

83. Climaco Calderon, Appellant, vs. The Atlas Steamship Co., Limited. The argument of this cause was commenced by Mr. J. Langdon Ward, of counsel for the appellant

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna

John M. Knight, Esquire, Marshal,
James A. McKenney, Clerk

Proclamation being made the Court is opened

83. Climaco Calderon, Appellant, vs. The Atlas Steamship Co. Limited. The argument of this cause was continued by Mr. J. Langdon Ward, of counsel for the appellant, and Mr. E. T. Wheeler, of counsel for the appellee, and concluded by Mr. J. Langdon Ward, of counsel for the appellant.

415. Benjamin Hawker, vs. The People of the State of New York. This cause was argued by Mr. A. O. Pentecost, of counsel for the plaintiff in error and Mr. [illegible]

Asa Bird Gardiner, of counsel for the defendants in error.

514. S. H. Vance et al., vs. Appellants, N. A. Vandercook Company.

515. S. H. Vance et al., vs. Plffs in Error, N. A. Vandercook Company, in error.

The argument of these cases was commenced by Mr. H. A. Barber, of counsel for the appellants & plaintiffs

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Mahlon Pitney, it is ordered that Edward Ambler Armstead, Esquire, of Camden, State of New Jersey, and Ernest Leigh Austin, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they severally were accordingly so admitted.

514. S. W. Vance et al., Appellants, vs. W. A. Vanderveer & Company.
515. S. W. Vance et al., Plffs in Error, vs. W. A. Vanderveer & Company.

The argument of these cases was continued by Mr. W. A. Barber, of Counsel for the

Kennedy Bryan, of Counsel for the appellee & defendant in error, and concluded by Wm. W. A. Barber, of Counsel for the appellants and plaintiffs in error.

99. Boyden Power Brake Co. et al., Appellants, v. George Westinghouse, Jr., et al.

116. George Westinghouse, Jr., et al., Appellants, v. Boyden Power Brake Co. et al.

The argument of these cases was commenced by Mr. George A. Christy, of Counsel for Westinghouse Jr. et al.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George H. Christy it is ordered that C. C. Dickey, Esquire, of Pittsburgh, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.—

99. Boyden Power Brake Co. et al., vs. Appellants, George Westinghouse Jr. et al.
116. George Westinghouse, Jr. et al., vs. Appellants, Boyden Power Brake Co. et al.

Reargument of these causes was continued by Mr. George H. Christy of counsel for Westinghouse,

Philip Mauro and Mr. Sypandes Hill, of counsel for Boyden Power Brake Co., et al., and concluded by Mr. Frederic H. Betts, of counsel for Westinghouse, Jr., et al.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright Esquire, Marshal,
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Griggs it is ordered that John R. Beam, Esquire, of Paterson, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that Napoleon B. Laughlin, Esquire, of Santa Fé, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Thompson it is ordered that John Howard McElroy, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George W. Smith it is ordered that Murry Nelson, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. L. Rawling it is ordered that Burke Corbet, Esquire, of Grand Forks, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank H. Hackett it is ordered that William Knight Sharpless, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Charles [illegible], Esquire, of San Antonio, State

Texas, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly—

On motion first made to the Court in this behalf by Mr. J. M. Brunwell it is ordered that Claudius B. Northrop, Esquire of Charleston, State of South Carolina, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly—

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Francis Burke, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly—

On motion first made to the Court in this behalf by Mr. J. S. Bartlett it is ordered that Isaac Reynolds Hill, Jr. Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly—

No. 61. James P. Merrill et al., Appellants, vs. The President and Trustees of Bowdoin College et al. Appeal from the Circuit Court of the United States for the Northern District of Ohio.

of the record from the Circuit Court of the United States for the Northern District of California, and on a motion to dismiss which was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan.

(The Chief Justice took no part in the consideration and decision of this case.)

268. The Missouri, Kansas & Texas Railway Company vs. Charles Haber et al. } In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Brewer.

583. John Andersen vs. The United States. } On consideration of the motion to advance this cause, It is now here ordered by the

Court that said motion be, and the same is, hereby granted and the cause assigned for argument on Monday, April 11th next.

Per Mr. Chief Justice Fuller.

Flint, Eddy & Co.,
vs. Appellant,
541. George Venable & James Greig, Trustees.

On consideration of the motion to advance the cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied, but the cause will be advanced as under the 32d rule to be submitted on printed briefs on or before Monday, April 11th next, if counsel shall so elect.

Per Mr. Chief Justice Fuller.

Ambrose P. S. Stuart,
vs. Appellant,
151. Kent K. Hayden, Receiver &c.
August P. Gruetter et al.,
vs. Appellants,
160. Ambrose P. S. Stuart et al.

On consideration of the motion to make by the decree entered by this Court in the cause on January 6, 1891, it is now here ordered by the Court that said decree be, and the same, is hereby, vacated and set aside.

Per Mr. Chief Justice Fuller.

151. Ambrose P. S. Stuart, Appellant, vs. Kent K. Hayden, Receiver of The Capital National Bank of Lincoln, Nebraska et al. } Appeals from the U. S. Circuit Court of Appeals for the Eighth Circuit.

160. August F. Gmelter and Charles F. Joerg, Appellants, vs. Ambrose P. S. Stuart and Kent K. Hayden, Receiver of The Capital National Bank of Lincoln, Nebraska.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the Circuit Court of the United States for the District of Nebraska in this cause of April 23, 1895, in favor of Hayden, Receiver, and against Ambrose P. S. Stuart for $16,875.42, be, and the same is hereby, affirmed with interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Nebraska, and that said decree in favor of Gmelter and Joerg on their cross-bill be, and the same is hereby, reversed, each appellant to pay one-half of the costs in this Court; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to

out prejudice.

(Per Mr. Chief Justice Waite.)

585. The Louisville & Nashville, Railroad Co., etal, vs. Appellants, Henry H. Wallace, etc. The motion to make the Supersedeas herein, was submitted to the consideration of the Court on printed arguments by Mr. Claudian B. Northrop, in support of the same, and Mr. Ed. Butler and Mr. J. C. Brownell, in opposition thereto.

603. The National Safe Deposit, Savings & Trust Company, vs. Petitioner, William Bruce Stanley, etc. The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. R. Ross Perry in support of the same, and Mr. Samuel Maddox, in opposition thereto.

517. John A. Leyson, Adm'r &c., vs. Plff in Error, Andrew J. Davis, Jr. etal. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. A. B. Browne, Mr. A. F. Britton, Mr. W. H. Dixon, and Mr. James H. Forbis, in support of the same, and Mr. Robert

Osmond, and Mr. Edwin W. Poole, in opposition thereto.

586. Joseph Kipley, Superintendent of Police of the City of Chicago, vs. Error to Cook. The People of the State of Illinois ex rel. E. C. Akin, Attorney General.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. George W. Smith, Mr. E. C. Akin, Mr. Frank P. Blair, and Mr. Murray Nelson, Jr., in support of the same, and Mr. Charles S. Thornton, in opposition thereto.

A motion for leave to file a supplemental transcript herein and to consolidate Cause No. 601 with this cause was submitted to the consideration of the Court by Mr. Charles S. Thornton, in support of the same.

475 of Oct. T. 1894. Thomas C. Chappell, vs. Error to Mary Ball Chappell.

Mr. Thomas C. Chappell submitted to the consideration of the Court a motion for an order directing the Clerk to return the original petition for a writ of error herein to the Clerk of the Court of Appeals of the State of Maryland.

609. Edgar Harding, vs. Petitioner, Re Minneapolis & Northern Elevator Co.

The petition for a writ of certiorari

mitted to the Consideration of the Court on printed arguments by Mr. M. N. Boudlle, in support of the same, and Mr. S. S. Burdett in opposition thereto.

397. A. J. Sebrestes, Plff in Error
vs.
The United States.

This Cause was argued by Mr. Arthur English, of Counsel for the plaintiff in error and Mr. Assistant Attorney General Boyd, of Counsel, for the defendant in error.

8. The United States, Appellant
vs.
Earl B. Cox

The argument of this Cause was Commenced by Mr. Matt G. Reynolds, of Counsel for the appellant, and Continued by Mr. A. M. Stevenson, of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, March 8th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. B. Foraker it is ordered that August B. Bode, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that Charles Philip Spooner, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

219. D. J. Delaney, Executor &c, vs. Hiffin Emor, The City & County of San Francisco. On motion of Mr. Matt G. Reynolds, in behalf of Counsel, leave is hereby granted the Clerk to issue the mandate in this case.

8. The United States, vs. Appellant Earl B. Coe. The argument of this cause was continued by Mr. A. M. Stevenson, of Counsel for the appellee and concluded by Mr. Matt. G. Reynolds, of Counsel for the appellant.

27. Santiago Arnaz Admr &c. vs. Appellant, The United States. 277. The United States, vs. Appellant Frederick Marsh et al. The argument of these cases was commenced by Mr. Rochester Ford, of Counsel for Arnaz, Admr &c., and Marsh et al., and continued by Mr. Matt G. Reynolds, of Counsel for The United States.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, March 16th 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

27. Santiago Ainsa, Admr &c., Appellants, vs. The United States. — The argument of these cases was concluded by Mr James C. Carter, of counsel for Ainsa, Admr &c.

29th. The United States, Appellants, vs. Frederick Maish, et al. — by Mr James C. Carter, of counsel for Ainsa, Admr &c.

15. Santiago Ainsa, Admr &c., Appellants, vs. The New Mexico & Arizona R.R. Co. — These cases were submitted to the consideration of the Court on the records and printed arguments by Mr Roberts for appellants and Mr Thomas for appellees.

16. Santiago Ainsa, Admr &c., Appellants, vs. The New Mexico & Arizona R.R. Co. et al

of Counsel for the appellant and Mr. Solicitor General Richards and Mr. Matt G. Reynolds, of Counsel for The United States, by special leave.

28. Juan Pedro Tarnow, Appellant, vs. The United States. This cause was argued by Mr. Rochester Ford, of Counsel for the appellant, and Mr. Matt G. Reynolds, of Counsel for the appellee.

30. Robert Perrin, Appellant, vs. The United States. The argument of this cause was commenced by Mr. Byron Waters, of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, March 7th 1895.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. Charles J. Faulkner it is ordered that Charles M. Alderson, Esquire, of Charleston, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. E. Burton it is ordered that J. M. Shallenberger, Esquire, of Cleveland, State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

505. James P. Merrill et al., Appellants, vs. The President and Trustees of Bowdoin College et al. Mr. William A. Maury, of counsel for the appellants moved the Court to grant the Clerk leave to issue the mandate in this cause. Whereupon it is ordered by the Court that notice be given to counsel for the appellants that said motion will be submitted on the 28th inst.

97. Santiago Ainza, Admr., Appellant, vs. The United States. On motion of Mr. Rochester Ford, of counsel for the appellant, leave is hereby granted him to file a supplemental brief in this cause.

30. Robert Perrin, Appellant, vs. The United States et al. The argument of this cause was continued by Mr Byron Waters, of counsel for the appellant, and Mr. Matt G. Reynolds, of counsel for the appellees, and concluded by Mr. John T. Morgan, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday, March 8th 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Matt G. Reynolds it is ordered that C. A. Layton, Esquire, of Napoleon, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. H. Dunn it is ordered that Fred L. Chappell, Esquire, of Kalamazoo, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

30. Robert Perrin, Appellant
vs.
The United States et al

On motion of Mr. Byron Wales, of Counsel for the appellant, leave is hereby granted Counsel for the appellant to file a supplemental brief herein within one week and to Counsel for the appellee to file a reply thereto within five days thereafter.

119. William Faxon, Jr., Trustee, et al., Appellants,
vs.
The United States et al, Appellees

This cause was argued by Mr. Francis J. Nenay, of Counsel for the appellants, and Mr. Matt G. Reynolds, of Counsel for the appellees and leave was granted Counsel for appellees to file a supplemental brief herein within five days.

119. William Faxon, Jr., Trustee, et al., Appellants,
vs.
The United States et al, Appellees

Mr. Francis J. Nenay, of Counsel for the appellants submitted to the Consideration of the Court a motion for leave to file additional testimony herein and leave was granted Counsel for appellees to file a reply thereto.

Friday, March 18th. 1898, Continued;

27. Santiago Ainsa, Admr &c., Appellant, vs. The United States. On motion of Mr. Matt G. Reynolds, of counsel for the appellee, leave is hereby granted him to file a supplemental brief herein within five days.

531. Henry Williams, Plff in Err., vs. The State of Mississippi. This cause was argued by Mr. Cornelius J. Jones, of Counsel for the plaintiff in error, and submitted on a printed argument by Mr. C. B. Mitchell, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Knight, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. C. L. Tinsley it is ordered that Charles S. Whitman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Ross Perry it is ordered that Arthur Dehon Hill, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf

Mr. William John Miller it is ordered that William Wilson Miller, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

558. James H. Wilson, Plff in Err, vs. The State of North Carolina on the relation of L. C. Caldwell. In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Peckham.

559. S. Otho Wilson, Plff in Error, vs. The State of North Carolina, by Zeb. V. Walser, Attorney General, on the relation of John H. Pearson. In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and

adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Peckham.

558. James H. Wilson, Plff in Error
vs.
The State of North Carolina on the relation of L. C. Caldwell.

And

559. S. Otho Wilson, Plff in Error
vs.
The State of North Carolina, by Zeb. V. Walser, Attorney General, on the relation of John A. Pearson.

On consideration of the motions for attachment against the defendants, in error for contempt in the terms of restitution, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the rules to show cause heretofore issued herein be, and they are hereby, discharged.

Per Mr. Justice Peckham.

564. The United States ex rel. Alfred L. Bernardin, Plff in Error
vs.
Benjamin Butterworth, Commissioner of Patents.

In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the Dis-

that this cause has abated owing to the death of the defendant in error, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed, the costs in this Court to be paid by the plaintiff in error; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and remand the cause to that Court with directions to dismiss the petition for a writ of mandamus because of the death of the defendant, Butterworth.

Per Mr. Justice Shiras.

130. McCormick Harvesting Machine Company, Appellant, vs. C. Aultman & Company et al. / On certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

131. McCormick Harvesting Machine Company, Appellant, vs. Aultman-Miller Company.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit

Court of Appeals.

Per Mr. Justice Brown.

475 Oct. T. 1896. Thomas C. Chappell, vs. Plff in Error, Mary Dall Chappell. On consideration of the motion for an order directing the Clerk of this Court to return the original petition for a writ of error herein to the Clerk of the Court of Appeals of the State of Maryland, It is now here ordered by the Court that said motion be, and the same is hereby granted and said original petition will be returned to the Clerk of that Court accordingly.

Per Mr. Chief Justice Fuller.

586. Joseph Kipley, Superintendent of Police of the City of Chicago, Plff in Error, vs. The People of the State of Illinois, ex rel. E. C. Akin, Attorney General. On consideration of the motion for leave to file a supplemental transcript herein and to consolidate case No. 601, between the same parties, with this case, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

603. The National Safe Deposit, Savings & Trust Company of the District of Columbia, Petitioner, vs. William Bruce Gray. On a petition for a writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

604. Edgar Harding, Petitioner, vs. The Minneapolis Northern Railway Company. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

194. Herman Keck, Plaintiff in Error, vs. The United States. On consideration of the petition for a re-hearing in

mission of the cause to a full bench on printed briefs, It is now here ordered by the Court that said petition be, and the same is hereby, granted and the cause is taken on submission accordingly.

Per Mr. Chief Justice Fuller.

403. The United States, Appellant, vs. The Mobile & Ohio Railroad Company. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

174. The United States, Appellant, vs. Lewis A. Eaton. On motion of Mr. J. N. Garrison, of Counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in these cases.

302. The United States, Appellant, vs. John Dobson.

546. Charles Meyer et al., vs. Tiffin Exr. Nettie L. Cox et al. The motion to dismiss in this cause was submitted to the consideration

ed arguments by Mr. Howard Morris, in support of the same, and Mr. Rublee A. Cole, in opposition thereto.

602. William M. Dodge et al., Petitioners. vs. The Menasha Wood Split Pulley Co. et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Lysander Hill, in support of the same, and Mr. William F. Vilas, in opposition thereto.

On motion of Mr. Frederic D. McKenney leave is hereby granted Mr. Edward Rector to file a printed brief herein in opposition to the petition on behalf of certain interested parties.

Ex parte In the matter of The Chappell Chemical & Fertilizer Company, Petitioner.

Mr. Thomas C. Chappell, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition herein.

30. Robert Perrin, Appellant, vs. The United States.

On motion of Mr. John T. Morgan, of counsel for the appellant, leave is hereby granted to withdraw a Spanish document filed herein for the

93. The Northern Pacific R.R.Co. et al. vs. Plffs in Error, Patrick R. Smith — Mr. A.F. Stevens, of Counsel for the Defendant in Error submitted to the consideration of the Court a motion for leave to present and read at the argument of this cause the original reply filed in this cause.

93. The Northern Pacific R.R.Co. et al. vs. Plffs in Error, Patrick R. Smith — This cause was argued by Mr. C.W. Bunn, of Counsel for the Plaintiffs in Error, and Mr. A.F. Stevens, of Counsel for the defendant in Error.

539. A.B. White, Collector, et al., Appellants, vs. A.C. Berry. — Reargument of these cases was commenced by Mr. Assistant Attorney General Boyd, of Counsel for the Appellants, and continued by Mr. Charles J. Faulkner of Counsel for the Appellees.

540. A.B. White, Collector, et al., Appellants, vs. William Butler.

541. A.B. White, Collector, et al., Appellants, vs. J.J. Faulkner.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. T. C. Catchings it is ordered that O. W. Catchings, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

505. James P. Merritt et al., Appellants, vs. The President & Trustees of Bowdoin College et al. On motion of Mr. H. A. Wiley, of counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in this cause, by stipulation of counsel.

403. The United States, vs. Appellant, The Mobile & Ohio R.R. Co. — On motion of Mr. S. A. Putman, in behalf of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

539. A. B. White, Collector, et al. vs. Appellants, H. C. Berry. — Reargument of these causes was continued by Mr. Charles Blackmore, of counsel for the appellees, and concluded by Mr. Joseph A. Gaines, of counsel for the appellants.

540. A. B. White, Collector, et al., vs. Appellants, William Butler.

541. A. B. White, Collector, et al., vs. Appellants, J. L. Ruckman.

157. Henry C. King, vs. [illegible], N. B. Mullins et al. — Reargument of this cause was commenced by Mr. Maynard, F. Stiles, of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. D. Guthrie it is ordered that Theodore Smith Beecher, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that the Court would adjourn on Monday, the 28th instant, until Monday, April 11th next.

425.
463.
464.
157.
86.
87.
88.
17.

Josephine C. Duke et al, Executors &c.,
vs. Plffs in Error,
J. H. Kochersperger, County Treasurer.
Elizabeth C. Lawyendal, Executors &c.,
vs. Plffs in Error,
J. H. Kochersperger, County Treasurer
Jessie Morton Torrence Maynard,
vs. Appellants,
Illinois Trust & Savings Bank of
Executor &c. et al.

On motion of Mr. H. D. Guthrie, of counsel for the plaintiffs in error and appellants, leave is hereby granted them to file and submit printed copies of the opinion of the Supreme Court of the State of Missouri in the case of The State ex rel. Conley, Executor, vs. Switzler, Judge &c.

Henry C. King,
vs. Plff in Error,
M. B. Mullins et al.

The argument of this cause was continued by Mr. Maynard F. Stiles, of counsel for the plaintiff in error, and Mr. J. S. Vinson and Mr. Holmes Conrad, of counsel for the defendants in error, and concluded by Mr Maynard F. Stiles, of counsel for the plaintiff in error.

George Schollenberger, Plff in Error, vs. The Commonwealth of Pennsylvania.
George E. Paul, Plff in Error, vs. The Commonwealth of Pennsylvania.
Otis Paul, Plff in Error, vs. The Commonwealth of Pennsylvania.
Clarence E. Collins, Plff in Error, vs. The State of New Hampshire.

The argument of these cases was commenced by Mr. H. D. Guthrie, of Counsel for the plaintiffs in error,

Thursday, March 24th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. H. Campbell it is ordered that Howard P. Denison, Esquire, of Syracuse, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that Myer S. Isaacs, Esquire, of New York City, and Thomas McEwan, Jr., Esquire, of Jersey City, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The North American Commercial Company,
431. vs. Plff in Error,
The United States

It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday April 11th next, at the head of the docket.

George Scholl[illegible]berger,
86. vs. Plff in Error,
The Commonwealth of Pennsylvania.
George E. Paul
87. vs. Plff in Error,
The Commonwealth of Pennsylvania.
J. Otis Paul,
88. vs. Plff in Error,
The Commonwealth of Pennsylvania
Clarence E. Collins,
17. vs. Plff in Error,
The State of New Hampshire

Rearguments of these cases was continued by Mr. W. D. Guthrie, of counsel for the plaintiffs in error, and Mr. John G. Johnson, of counsel for The Commonwealth of Pennsylvania, and concluded by Mr. W. D. Guthrie, of counsel for the plaintiffs in error.

Pullman's Palace Car Co.
114. vs. Appellant,
Central Transportation Co.
Pullman's Palace Car Co.,
196. vs. Petitioner,
Central Transportation Co.

Rearguments of these cases was commenced by Mr. E. S. Isham, of counsel for Pullman's Palace

tinued by Mr. F. P. Prichard, of Counsel for Central Transportation Co.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
Henry B. Brown Associate
George Shiras, Jr., Justices
Edward D. White
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. M. C. Butler it is ordered that Selden Bacon, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Barham it is ordered that Edward C. Schell, Esquire of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

1111. Pullman's Palace Car Co., Appellant,
vs.
Central Transportation Co.

1446. Pullman's Palace Car Co., Petitioner,
vs.
Central Transportation Co.

The argument of these cases was continued by Mr. F. P. Prichard and Mr. J. G. Johnson, of Counsel for Central Transportation Company, and concluded by Mr. Joseph H. Choate, of Counsel for Pullman's Palace Car Co.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
John N. Wright, Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it was ordered that A. H. Peckham Jr. Esquire, of New York, and W. A. Peckham, Esquire, of Cleveland, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. J. B. Corliss it is ordered that Robert Young Esquire of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was

On motion first made to the Court in this behalf by Mr. Martin N. Johnson it is ordered that Herman Hinderer, Esquire, of Dillon City, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. W. Henriches it is ordered that James L. Bishop, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

137. The United States, Appellant, vs. Hong Kim Ark. Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Gray.

Dissenting:
Mr. Chief Justice Fuller &
Mr. Justice Harlan.

Mr. Justice McKenna, not having been a member of the Court when this case was argued took no part in the

585 The Louisville & Nashville Railroad Company et al., vs. A. D. Pillants, Henry H. Wellmore. On consideration of the motion to recall the Supersedeas herein, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered, by the Court that said motion be, and the same is hereby, denied.

Per M. Chief Justice Fuller.

Charles Meyer, also Carl Meyer, and Mary Meyer also Augusta Meyer, vs. Plffs in Error, Nettie L. Cox and George R. Sowerbt. In Error to the Superior Court of Milwaukee County, State of Wisconsin.

This Cause came on to be heard on the transcript of the record from the Superior Court of Milwaukee County, State of Wisconsin, and on a Motion to dismiss which was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per M. Chief Justice Fuller.

William H. Dodge, Melville H. Mix and Dodge Manufacturing Company,
602. vs. Petitioners,
The Menasha Wood Split Pulley Company.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

In the matter of
The Chappell Chemical & Fertilizer Company,
Petitioner.

On consideration of the motion for leave to file a petition for a writ of prohibition herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The United States et al.,
617. vs. Appellants,
Samuel H. Reed.

Mr. Solicitor General Richards, of counsel for the appellants, submitted to the consid-

eration of the Court a motion to advance this cause

623. George Thompson vs. The State of Missouri, On motion of Mr. Charles F. Coe, of counsel for the plaintiff in error, leave is hereby granted to docket this cause and prosecute the same in forma pauperis. It is further ordered by the Court that this cause be, and the same is hereby advanced and assigned for argument on Monday, April 8th next.

616. Francis Henry, Petitioner vs. The Pittsburgh Bay Manufacturing Company et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Frederic D. McKenney and Mr. A. H. Clarke, in support of the same.

550. E. A. Kirwan, U.S. Surveyor General, et al., Appellants, vs. Simeon J. Murphy et al. Appellees. Submission in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. D. Luckett, in support of the same, and Mr. Solicitor General Richards and Mr. M. J. Hughes, in opposition thereto.

Ex parte In the Matter of Albert B. Nelson, Petitioner. Mr. E. W. Bradford, of Counsel for the Petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

528. Sterling R. Cockrill, Receiver, vs. Plff in Error, The United States National Bank of Newport. The motion to dismiss in this cause, was submitted to the consideration of the Court on printed arguments by Mr. John Fletcher, in support of the same, and Mr. S. R. Cockrill, in opposition thereto.

Proclamation being made the Court is adjourned until Monday, April 11th, next, at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. A. H. Stone it is ordered that T. McCants Stewart, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Needham it is ordered that Addison L. Gardner and Randolph H. Burns, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible]

Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger Foster it is ordered that Theodore Connoly, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

177. Hosmer B. Parsons, Plff in Error, vs. The District of Columbia and John W. Ross, Charles F. Powell and George Truesdell, Commissioners of the District of Columbia. } In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras.

175. The Chicago, Burlington & Quincy Railroad Company v. The State of Nebraska ex rel. The City of Omaha. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Shiras.

(Mr. Chief Justice Fuller took no part in the hearing and decision of this case.)

560. John Budziszewski and Augusta Budziszewski, alias Augusta Budziszewski, v. Illinois Steel Company. In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and on a motion to dismiss which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of

106. The New York Indians, Appellants, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims, with directions to enter a new judgment for the net amount actually received by the government for the Kansas lands, without interest, less the amount of lands upon the basis of which settlement was made with the Tonawandas, and other just deductions, and for such other proceedings as may be necessary, and in conformity with the opinion of this Court.

(Per Mr. Justice Brewer.)

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Harlan, and
Mr. Justice Brewer.

353. The Barrow Steamship Company, Plff in Error, vs. Michael Kane. On certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from

the United States Circuit Court of Appeals for the Second Circuit and was argued by counsel On Consideration whereof It is the opinion of this Court that the question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Gray.

174. The Louisville Water Company, Appellant, vs. The Commonwealth of Kentucky. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel On Consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with Costs; And that this cause be, and the same is hereby, remanded to the said Court of Appeals, for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Harlan

Dissenting:
Mr. Justice Gray.

517. John A. Tyson, as Administrator with the will annexed, of Andrew J. Davis, deceased, Plff in Error, v. Andrew J. Davis, Jr., and The First National Bank of Butte. } In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

47. The State of Missouri, ex relations The Ludede Gas Light Company, Plff in Error, v. Michael J. Murphy, Sheets Commissioner of the City of St. Louis, and The City of St. Louis. } In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the

same is hereby, affirmed with costs.
Per Mr. Chief Justice Fuller.

528. Sterling R. Cockrill, Receiver &c., Appellant, vs. The United States National Bank of Newport, Appellee. Ordered by the Court that the further consideration of the motion to dismiss herein be postponed until the hearing of the cause on its merits.
Per Mr. Chief Justice Fuller.

616. Francis Henry, Petitioner, vs. The Pittsburgh Clay Manufacturing Company et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now ordered by the Court that said petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

617. The United States et al., Appellants, vs. Samuel K. [illegible] et al. On consideration of the motion to [illegible] &c., now here ordered by the Court that said motion be, and the same is

gument on Monday, October 17th next, or it may be submitted on printed briefs on or before the 25th instant.

Ex parte In the matter of Thomas C. Chappell, Petitioner. — Mr. J. M. Wilson submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Ex parte In the matter of The Chappell Chemical and Fertilizer Company, Petitioner. — Mr. J. M. Wilson submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

615. Albert Wade, Petitioner, v. Travis County, Texas. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Frank W. Haskell and Mr. Joseph Paxton Blair, in support of the same.

612. The Louisville Trust Company, Petitioner, v. The Louisville, New Albany & Chicago Railway Co., et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John Barton

in support of the same, and Mr. A. H. Paine Mr. N. B. Turner, Mr. G. W. Krebsinger and Mr. E. C. Field, in opposition thereto.

541. Flint, Eddy & Co. Appellants vs. George Christall et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Wilhelmus Mynderse and Mr. James C. Carter, of counsel for the appellant, and Mr. Harrington Putnam, of counsel for the appellees.

614. The City of Richmond, Petitioner, vs. The Southern Bell Telephone & Telegraph Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argument by Mr. C. V. Meredith, in support of the same.

744. James E. Simpson et al., Appellants, vs. The United States. Mr. James H. Hayden, of counsel for the appellants, suggested the death of James E. Simpson, one of the appellants herein, and moved the Court that the cause proceed in the names of James E. Simpson, Jr., Alfred N. Simpson and Hattie E. Simpson, surviving partners of the firm of James E. Simpson & Company,

It is ordered by the Court that this cause proceed in the names of the said James E. Simpson, Jr., Alfred A. Simpson and Willie E. Simpson, surviving partners of the firm of James E. Simpson & Company, as the parties appellants.

484. The Connecticut Mutual Life Insurance Co., Plff in Error, vs. Linda H. Spratley. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. T. B. Turley and Mr. L. E. H. in support of the same, and Mr. B. M. Estes in opposition thereto.

594. Maude E. Kimball, Plff in Error, vs. Harriet A. Kimball et al. The motion to dismiss in this cause was submitted for the consideration of the Court on the record and printed arguments by Mr. L. H. Arnold, in support of the same, and Mr. Waldegrave Harlow in opposition thereto.

268. The Missouri, Kansas & Texas Railway Company, Plff in Error, vs. Charles Haber et al. It is ordered by the Court that the mandate in this cause be stayed for 20 days from

the 14th instant.

424. The North American Commercial Company } vs. } Writ of Error
The United States

It is ordered by the Court that this cause be re-assigned for argument on the 18th instant.

553. John Andersen } vs. } Writ of Error
The United States.

This cause was argued by Mr. George F. McIntosh, of counsel for the plaintiff in error, and Mr. Solicitor General Richards and Mr. H. A. White, of counsel for the defendant in error.

195. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co. } vs. } Writ of Error
The Long Island Loan & Trust Company, Executrix &c.

in error

Re-argument of this cause was commenced by Mr. Charles E. Burr, of counsel for the plaintiff.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

195. On motion first made to the Court in this behalf by Mr. W. W. Martin it is ordered that Silas Porter, Esquire, of Kansas City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

196. On motion first made to the Court in this behalf by Mr. M. A. Birch it is ordered that Howard A. Knapp, Esquire, of Bridgeport, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf

On Mr. William Henry Dennis it is ordered that
Prance Sutlet, Esquire, of Syracuse, State of
New York, be admitted to practice as an attor-
ney and Counsellor of this Court and hereon
to receive a certificate.

On motion first made to the Court in this behalf
by Mr. H. S. Kirkpatrick, it is ordered that
Edward J. Fox and Aaron Goldsmith, Esquires,
of Salem, State of Pennsylvania, be admitted
to practice as attorneys and counsellors of this
Court and they have been accordingly.

The Pittsburgh, Cincinnati,
Chicago & St. Louis Railway Co.,
Plaintiff in Error,
vs.
The Long Island Loan & Trust
Company, Defendant in Error.

This cause coming on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and argued by counsel,

On motion of Mr. H. S. Kirkpatrick, counsel for the plaintiff in error,

It is ordered by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court.

William L. Gilbert,
vs.
The United States.

This cause coming on to be heard on the transcript of the record from the Court of Claims, and argued by Mr. A. Scott Howell and Mr. H. Howell, of counsel for the plaintiff in error, and Assistant Attorney General Boyd, of counsel for the defendant in error,

On motion of Mr. H. Howell, counsel for the plaintiff in error,

It is ordered by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings to be had therein in conformity to the opinion of this Court.

197. William Ingald Stuart, Plff in Error, vs. The City of Easton et al. The argument of this cause was commenced by Mr. C. B. Taylor, of Counsel for the plaintiff in error, and continued by Mr. Aaron Goldsmith and Mr. Edward J. Fox, of Counsel for the defendants in error.

196.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present—

The Honorable Melville W. Fuller, Chief Justice.
" John M. Harlan,
" Horace Gray,
" Henry B. Brown,
" George Shiras, Jr.,
" Edward D. White,
" Rufus W. Peckham,
" Joseph McKenna,
John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court announced

On motion it is ordered that Mr. Alexander Porter Morse be and he is hereby admitted to practice as an attorney and counsellor of this Court and he having been sworn accordingly.

William L. Ledbetter, Appellant, vs. The United States. On motion of Mr. Assistant Attorney General Boyd, of counsel for the defendant in error, leave is hereby granted him to file a supplemental brief herein on or before the 15th instant.

197. William Dugald Stuart, Plff in Error, vs. The City of Easton et al. Defts in Error. Reargument of this cause was continued by Mr. Edward J. Fox, of counsel for the defendants in error, and concluded by Mr. A. T. Freedley, of counsel for the plaintiff in error.

198. William Wheeler Hubbell, Appellant, vs. The United States. Reargument of this cause was commenced by Mr. F. P. Dewees, of counsel for the appellant, and continued by Mr. C. C. Binney, of counsel for the appellee.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney Clerk.

Proclamation being made the Court is opened.

205. The United States, vs. Patrick Henry Hinston. } Writs of Error

272. The United States, vs. John H. Heron. } Appellant.

274. The United States, vs. Charles A. Hurley. } Appellant.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Assistant Attorney General Taft, of Counsel for the United States, and Mr. Patrick Henry Hinston, in proper person with leave to Mr. F. T. Graves, of Counsel for Heron and Hurley, to file briefs on or before the 25th instant.

The Texas & Pacific Railway Company, Plff in Error, vs. Maggie A. Holliday, in her own right and as next friend of Ophelia Holliday, and Le Will Holliday, and Orland S. Holliday. — In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

1115.

This cause having been called to the attention of the Court by Mr. D. D. Duncan of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

William Wheeler Hubbell, Appellant, vs. The United States. — The argument of this cause was continued by Mr. C. C. Binney, of counsel for the appellee, and concluded by Mr. George S. Boutwell, of counsel for the appellant.

198.

The Gila Bend Reservoir and Irrigation Company, Appellant, vs. M. A. Linn et al. — This cause was argued by Mr. James A. Hayden, of counsel for the appellant, and

199.

Mr. S. F. Phillips and Mr. T. D. McKenney of Counsel for the appellees

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April 15th, 1898.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Duane E. Fox it is ordered that Wilbur C. Denison, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1797. The Louisville Water Co., Plff in Error, v. The Commonwealth of Kentucky

On motion of Mr. M. J. Colbert, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause, per stipulation of counsel.

204. The Plaquemines Tropical Fruit Company, Appellant, vs. William Henderson et al. This cause was argued by Mr. Rhune E. Fox, of counsel for the appellant, and Mr. Victor Leovy, of counsel for the appellees.

206. Frances Rebecca Hamilton, Plff in Error, vs. Jane Abbie B. Kimbrough. This cause was argued by Mr. A.S. Worthington, of counsel for the plaintiff in error, and Mr. W. J. Talbert, of counsel for the defendant in error.

207. The Texas & Pacific Railway Co., Plff in Error, vs. Andy Archibald. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John F. Dillon, Mr. H. J. Rice and Mr. R. E. Duncan, of counsel for the plaintiff in error, with leave to Mr. James Turner, of counsel for the defendant in error to file a brief on or before the 21st instant.

208. The Texas & Pacific Railway Co., Plff in Error, vs. Alexander Reed. This cause was submitted to the consideration of the Court on the

Dillon, Mr. U.S. Rives, and Mr. L.L. Duncan, of counsel for the plaintiff in error, and Mr. Wesley R. Ewing, of counsel for the defendants in error.

209. The Northwestern National Bank et al., vs. Appellants, B.N. Freeman et al., as Rec Arizona Central Bank et al. Appellants.

The argument of this cause was commenced by Mr. A.B. Browne, of Counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock M.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire Marshal
James H. McKenney Clerk.

Proclamation being made the Court is opened

415. Benjamin Atwater, Plff in Error, vs. The People of the State of New York. In Error to the Court of General Sessions of the Peace for the City and County of New York, State of New York.

This cause came on to be heard on the transcript of the record from the Court of General Sessions of the Peace for the City and County of New York, State of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of General Sessions in this cause be, and the same is hereby, affirmed with costs.

Dissenting:

The Steam Tug "John G. Stevens," her engines &c., Edward H. Loud et al., Owners &c., Appellants, vs. Frederick H. Gladwish, et al. — On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

25.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Gray.

Joseph Kipley, as Superintendent of Police of the City of Chicago, Plff in Error, vs. The People of the State of Illinois ex rel. Edward C. Akin, Attorney General. — In Error to the Supreme Court of the State of Illinois.

576.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on a motion to dismiss which was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction. Per Mr. Justice [illegible]

601. Joseph Kipley, as Superintendent of Police of the City of Chicago, Plff in Error, vs. The People of the State of Illinois ex rel. Edward C. Akin Attorney General. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on a motion to dismiss which was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan

165. The American Surety Company of New York (a) vs. Frederick M. Tainly, as Receiver of The California National Bank of San Diego, California. In Error to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the Circuit Court of Appeals in this cause be, and the same

Cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

(Per Mr. Justice Harlan.)

169. The American Surety Company of New York, (2) vs. Fitzgerald Erwin, Frederick R. Canby, as Receiver of The California National Bank of San Diego, California. In Error to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

(Per Mr. Justice Harlan.)

Dissenting:
Mr. Justice White
Mr. Justice Shiras and
Mr. Justice Peckham.

Ex parte In the matter of Albert B. Nelson, Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Waite

494. The Connecticut Mutual Life Insurance Company, vs. Riffin Exor, Linda H. Spalding. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Waite

594. Maude E. Kimball, vs. Riffin Exor, Harriet A. Kimball Def. It is ordered by the Court that the further consideration of the motion to dismiss, in this cause be postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Waite

611. The City of Richmond, Petitioner, vs. The Southern Bell Telephone & Telegraph Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

618. Albert Wade, Petitioner, vs. Travis County, Texas. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of Thomas C. Chappell, Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be and the same

hereby, denied.

(per Mr. Chief Justice Fuller.)

Ex parte In the matter of The Chappell Chemical & Fertilizer Company, Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein,

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

634. The Erie & Western Transportation Company et al., Petitioners, vs. The Union Steamboat Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. F. N. Canfield and Mr. Harvey D. Goulder, in support of the same.

630. The Jacksonville, Mayport, Pablo Railway & Navigation Co., et al., Petitioners, vs. Mary J. Hooper et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. James Lowndes and Mr. A. W. Cockrell, in support of the same, and Mr. James K. Challen, in opposition thereto.

637. George F. Stevens, Petitioner, vs. John S. Lawrence, Receiver &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Duane B. Fox and Mr. Mark Sonis, in support of the same.

209. The Northwestern National Bank et al., Appellants, vs. B. N. Freeman et al., as The Arizona Central Bank, et al. The argument of this cause was continued by Mr. Fred. Herrington, of Counsel for the appellees, and concluded by Mr. A. B. Browne, of Counsel for the appellants.

431. The North American Commercial Company, Plff in Error, vs. The United States. The argument of this cause was commenced by Mr. James C. Carter, of Counsel for the plaintiff in error, and continued by Mr. Attorney General Griggs, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court announced

On motion first made to the Court in this behalf by Mr. James C. Carter it is ordered that John R. MacArthur, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lewis E. Stanton it is ordered that John H. Buck, Esquire, of Hartford, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The North American Commercial Company
v. Plff in Error
The United States

No. 431.

Reargument of this cause was continued by Mr. Attorney General Griggs, of counsel for the defendant in error, and concluded by Mr. James C. Carter, of counsel for the plaintiff in error.

S. A. Williams, Treasurer &c.,
v. Plff in Error,
Arthur F. Eggleston, Attorney for the State of Connecticut.

No. 210.

Reargument of this cause was commenced by Mr. Lewis C. Clinton, of counsel for the plaintiff in error, and continued by Mr. Lewis Sperry, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf, by Wm. S. D. Luckett it is ordered that Cyrus B. Whitcomb, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

605. The City the Company, Appellant, v. John H. Blythe et al. On motion of Wm. F. O'Connor, of counsel for the appellees, It is ordered by the Court that the certified copies of the opinions of the Circuit Court herein be made part of the transcript of the record in this cause

178. The Keokuk & Hamilton Bridge Company, Pltff in Error, vs. The People of the State of Illinois. On motion of Mr. Hilton D. Dandge Jr. in behalf of counsel it is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

234. The San Diego Land & Town Co., Appellant, vs. The City of National City et al. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

210. S. N. Williams, Treasurer &c., Pltff in Error, vs. Arthur F. Eggleston, Attorney for the State of Connecticut. The argument of this cause was continued by Mr. Lewis Sperry, of counsel for the defendant in error, and concluded by Mr. John A. Buck, of counsel for the plaintiff in error.

211. Sarah A. Oakes, Appellant vs. The United States. This cause was argued by Mr. John C. Fay, of counsel for the appellant and Mr. Assistant Attorney General Pradt, of counsel for the appellee.

212. Frederick H. Smith et al vs. Appellants
The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. A. Barnes and Mr. L. E. Payson, of counsel for the plaintiffs in error, and Mr. Solicitor General Richards and Mr. Felix Brannigan, of counsel for the defendant in error.

218. The United States, Appellant, vs. Randell & Stone

This cause was argued by Mr. William G. Mackey, of counsel for the appellee, and submitted on a printed argument by Mr. Assistant Attorney General Hoyt and Mr. W. J. Hughes, of counsel for the appellant.

221. The People of the State of New York ex rel. Cook Lewis & Co., Appellants vs. James A. Roberts, Comptroller of the State of New York

Plaintiff in error

The argument of this cause was commenced by Mr. James McKeen, of counsel for the

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna.
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that Robert M. Doty, Esquire, of Massillon, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

221. The People of the State of New York ex rel. Parke Davis & Co., Plff in Error, vs. James A. Roberts, Comptroller of the State of New York.

The argument of this cause was continued by Mr. James McKeen, & closed for the plaintiff in error and Mr. D. S.

224.

225.

623.

227.

Attorneys & Counsel for the defendant in

Concluded by Mr. James McKeen, of counsel for the plaintiff in error.

The United States, } This cause was argued by Mr. Stan-
vs. } In Error. } ley N. Lorman, of coun-
Charles Loughery et al. } sel for the plaintiff

in error, and submitted on printed arguments by Mr. H. A. Webster, of counsel for the defendants in error.

Henry B. Tompkins, } This cause was
vs. } In Error. } argued by Mr. J.
Frances M. Cooper, Admx. } Ashley Ashton, of
} counsel for the

plaintiff in error, and submitted on printed arguments by Mr. A. G. Glenn, of counsel for the defendant in error.

George Thompson, } This cause was sub-
vs. } In Error. } mitted to the consider-
The State of Missouri, } ation of the Court on the record and on printed

argument by Mr. Charles F. Fox, of counsel for the plaintiff in error with leave to counsel for the defendant in error to file a brief upon before the 25th instant.

Henry J. Hanner, } This cause was,
vs. } In Error. } argued by Mr. H.

Gardner, of Counsel for the Plaintiff in Error, and Mr. Ch
Gardner, of Counsel for the Defendant

719. George K. Lyman, Admr. &c., vs. Plff in Error,
The Boston & Albany R. R. Co. Def

This Cau
submitte
Consider
the Cour

record and printed arguments by Mr
Dickinson, Jr., and Mr. Samuel Hoar
Counsel for the Plaintiff in Error, and Mr
Hoar, of Counsel for the Defendant in Er

(Proclamation being made the Court is adj
until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esqr., Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

230. Austin Walrath, Appellant, vs. The Champion Mining Co. This cause was argued by Mr. R. R. Bigelow, of Counsel for the appellant and Mr C. A. Kindle, of Counsel for the appellee.

231. E. A. Hubbard, Assignee &c, Appellant, vs. J. Kennedy Tod et al. The argument of this cause was commenced by Mr. Henry J. Stay lor, of Counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 25th, 1898.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George D. Middleton it is ordered that Wilbur F. Critchfield, Esquire, of Fullerton, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

531.

On motion first made to the Court in this behalf by Mr. William Lindsay it is ordered that W. J. Ellis, Milfred Caniee, and Chapeze Hatton, Esquires of Owensboro, State of Kentucky be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that H. E. Jones Esquire of Virginia, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that William L. Ford, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that Philip Melton Nelson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was duly sworn accordingly.

Henry Williams,
-vs-
The State of Mississippi, &c.

In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this

150. Lowry W. Humes, Plaintiff in Error vs. The United States. In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice McKenna.

151. Jessie Norton Torrence Magoun, Appellant vs. Illinois Trust and Savings Bank, as Executor and Trustee under the last will and testament of Joseph T. Torrence, deceased, and David A. Koehler, Appellees. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice McKenna.

Dissenting: Mr. Justice Brown.

Josephine C. Drake, Timothy B. Blackstone and Illinois Trust & Savings Bank, Executors of the last will and testament of John B. Drake, deceased,

Plffs in Error

vs.

Daniel A. Kochersperger, County Treasurer and ex officio County Collector of Cook County, in the State of Illinois.

In Error to the Supreme Court of the State of Illinois.

1425.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice McKenna.

Elizabeth Emerson Sawyer and Charles Adrian Sawyer, Executors and Trustees, Maria Louise Turner et al.,

Plffs in Error

vs.

Daniel A. Kochersperger, County Treasurer and ex officio County Collector of Cook County, Illinois.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

1463

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, Costs in this Court and in the Circuit Court to be paid by the plaintiffs in error; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to remand the case to the County Court of Cook County.

Per Mr. Justice McKenna.

347 A. J. Sylvester, Plff in Error, vs. The United States. In Error to the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice White.

83. Climaco Calderon, Appellant, v. The Atlas Steamship Company, Limited — On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the District Court of the United States for the Southern District of New York in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said District Court with directions to ascertain the value of the libellant's goods and to enter a decree in conformity with the opinion of this Court.

Per Mr. Justice Brown.

Dissenting:
Mr. Justice Brewer.

553. Lars Thompson, Plff in Error, v. The United States — In Error to the Supreme Court of the State of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by counsel. On consideration whereof, It is now here ordered

and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And, that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Brewer and
Mr. Justice Peckham.

550. P. H. Kinyan, as United States Surveyor General for the District of Minnesota, and Thomas H. Cowell, Appellants, v. Simon J. Murphy, George O. Robinson, Elisha A. Fagan and Temple E. Dorr. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

421. The Galveston, Harrisburg & San Antonio Railway Company and E. F. Hill and H. N. Shaw, Plffs in Error, vs. The State of Texas

In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

406. The Houston & Texas Central Railway Company, Frederic P. Cook, et al., Plffs in Error, vs. The State of Texas

In Error to the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby,

remanded to the said Court of Civil Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Fuller.

The Chief Justice announced that the call of the docket will be suspended for the term on Friday, May 6th.

613. The Louisville Trust Co., Petitioner, v. The Louisville, New Albany & Chicago Railway Co., et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of Counsel thereupon had, as well, in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

630. The Jacksonville, Mayport, Pablo Railway & Navigation Co., et al., Petitioners, v. Mary J. Hooper et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the

the Fifth Circuit, and of the argument of Counsel, thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

634. The Erie & Western Transportation Company et al., Petitioners, vs. The Union Steamboat Co. } On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

637. George F. Stevens, Petitioner, vs. John S. Lawrence, Receiver, &c. } On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1911. Herman Meek, Plff in Error, vs. The United States. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument and assigned to be heard on Monday, October 17th next. Counsel will be limited to one hour on each side, and their attention is directed to the question whether, assuming the diamonds to have been dutiable, the District Court erred in any of its rulings in respect of what constitutes the crime of smuggling and in the application of the law to the evidence. Per Mr. Chief Justice Fuller.

929.

918. The United States, Appellant, vs. Russell & Stone. It is ordered by the Court that this cause be restored to the docket, and that a writ of certiorari, to the United States Circuit Court of Appeals for the Fifth Circuit, to bring up the entire record in this case be, and the same is hereby, awarded. Per Mr. Chief Justice Fuller.

932.

925. Henry B. Tompkins, Plff in Error, vs. Frances M. Cooper, as Administratrix of the estate of Lydal B. Cooper, deceased. In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript

of the record from the Supreme Court of the State of Georgia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

George K. Lyman, Administrator of Henry C. Ives, vs. Plff in Error
The Boston & Albany Railroad Company.

In Error to the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

The United States vs Plff in Error
Governeur C. Charles and Frank G. Charles

In Error to the United States Circuit Court of Appeals for the Eighth Circuit

This cause having been called to the attention of the Court by Mr. Solicitor General Richards of

Counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

595. Cyrus A. Brown, Plff in Error, v. The United States.

596. And George Culey [Miss George Culey], Plff in Error, v. The United States.

The motions to dismiss in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Solicitor General Richards and Mr. P. L. Soper, in support of the same, and Mr. John A. Kooglar and Mr. John Watkins, in opposition to motion in No. 595, and Mr. W. H. Devine, in opposition to motion in No. 596.

632 Thomas Tinsley, Appt, v. Albert Erickson, Sheriff &c.

633. Thomas Tinsley, Plff in Error, v. Albert Erickson, Sheriff &c.

Mr. James L. Bishop, of counsel for the appellant and plaintiff in error, submitted to the consideration of the Court a motion to advance these causes.

556. L. P. Dawson, Petitioner, vs. M. C. Rushin, Sheriff &c. The petition for a writ of Certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. H. M. Cravens in support of the same.

639. Charles Pope Glucose Co. et al., Petitioners, vs. Chicago Sugar Refining Co. The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr L. L. Coburn, in support of the same, and Mr. C. K. Offield, in opposition thereto.

385. J. J. McCook et al., Receivers, Plffs in Error, vs. A. F. Miles, Administrator &c. Defdt in Error. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Oscar L. Miles, in support of the same, and Mr. A. T. Britton, Mr. A. B. Browne, and Mr. L. F. Parker, in opposition thereto.

613. James A. Briggs, Executor, Plff in Error, vs. Amanda M. Wheeler et al. Defdts in Error. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on

printed arguments by Mr. Helm Bruce, Mr. James P. Helm, and Mr. Samuel B. Vance, in support of the same, and Mr. U. Stone Abert, Mr. John Marshall, Mr. Charles H. Gibson, and Mr. D. W. Sanders, in opposition thereto.

231. E. H. Hubbard, Assignee &c., Appellant, vs. J. Kennedy Tod et al. The argument of this cause was continued by Mr. J. L. Webster and Mr. G. H. Hickenham, of counsel for the appellees, and concluded by Mr. John C. Coombs of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court was opened.

On motion first made to the Court in this behalf by Mr. A. E. Lester it is ordered that P. H. Meldrim, Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Donnelly it is ordered that Frederick H. Stevens, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

233. The United States, Plff in Error, vs. R. E. McGlashan. This cause was submitted to the consideration of the Court on the record and printed arguments by Assistant Attorney General Boyd, of Counsel for the plaintiff in error, and Mr. George E. Sutherland and Mr. H. L. Eaton, of Counsel for the defendant in error.

235. The United States, Appellant, vs. George P. Lee & Co. This cause was argued by Mr. Solicitor General Richards, of Counsel for the appellant, and Mr. W. Wickham Smith, of Counsel for the appellees.

236. The Detroit Citizens Street Railway Co., Plff in Error, vs. The Detroit Railway, et al. The argument of this cause was commenced by Mr. J. C. Donnelly, of Counsel for the plaintiff in error, and continued by Mr. John B. Corliss and Mr. Charles Reeves, of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court announced

On motion first made to the Court in this behalf by Mr. J. G. Maguire it is ordered that John S. Larden, Esquire, of Mariposa, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

637. Thomas Tinsley, Appt. vs. Albert Erickson, Sheriff.
633. Thomas Tinsley, Plff in Error, vs. Albert Erickson, Sheriff.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on Thursday, May 5th next, and one hour

Wednesday, April 5th, 1893, Conti

on the cases may be submitted on brie
briefs to be filed within fifteen days
Per Mr. Chief Justice.

242. Adelia Young et al., Appellants, vs. Jennie Amy.

This cause was
mitted to the C
ation of the C
the record and
arguments by Mr. Le Grand Young, of c
for the appellants, and Mr. C. S. Varian, o
for the appellees.

236. The Detroit Citizens Street Railway Co., Plff in Error, vs. The Detroit Railway et al.

The argume
this cause
continued b
N. M. Du
of counsel
plaintiff in error, and Mr. Joseph A. Ma
counsel for the defendants in error, and
elected by Mr. Fred. A. Baker, of counse
the plaintiff in error.

237. Ray H. Jones, Appellant, vs. Patrick Meehan et al.

The argument o
cause was com
by Mr. James A.
of counsel for
pellant, and continued by Mr. C. K. Da
counsel for the appellees.

Proclamation being made the Court was ad
until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Alexander Pope Humphrey, it is ordered that John B. Thompson, Esquire, of Hardinsburg, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maynard Folsom, it is ordered that Arthur H. Russell, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

236. E. M. Galvin et al. vs. Affirmed
E. F. Palmer

In Error to the Supreme Court of the State of California

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

237. Ray H. Jones, Appellant, vs. Patrick Meehan et al.

The argument of this cause was continued by Mr. C. H. Darwin of counsel for the appellees, and concluded by Mr. James A. Kellogg of counsel for the appellant.

238. Everett Jolly vs. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments of Mr. Robert S. Todd, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Boyd, of counsel for the defendant in error.

234. James Johnson, vs. Tiffin Error, George F. Deal. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Samuel L. Finley, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

240. Henry C. King, vs. Panther Lumber Co. et al. Appellant; This cause was argued by Mr. Maynard S. Stiles of counsel for the appellant. No counsel appeared for the appellees.

120. Frederick W. Finkel et al., vs. The United States Appellants, This cause was argued by Mr. Albert Comstock of counsel for the appellants and Mr. Assistant Attorney General Hoyt, of counsel for the appellee.

117. The United States vs. M. Salambier. Appellant This cause was argued by Mr. Edwin T. Smith, of counsel for the appellee, and submitted on a printed argument by Mr. Assistant Attorney General Hoyt, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Friday, April 29th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. M. White it is ordered that Julius C. Moreland, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. G. Maguire it is ordered that Thomas E. Haven, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Wm. Fred. Ball it is ordered that John C. Shaw, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and be assigned a seat within the bar.

Henry C. Brown et al., Appts, vs. Albert Emor, The First National Bank of Fort Madison, Iowa. } In Error to the Circuit Court of the United States for the District of Colorado.

This cause having been called for hearing upon regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, Therefore, in pursuance of the 16th rule of this Court, this cause is ordered and adjudged by this Court that the writ of error in this cause be, and the same hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

The City of Walla Walla et al., Appellants, vs. The Walla Walla Water Co. } Ordered by the Court that this cause be, and the same is hereby,

continued until the next term.

Wagoner et al., Appts, vs. Neil H. Timms, Treasurer. Neil H. Timms, Treasurer, et al., Appts, vs. D. Wagoner et al. These cases were submitted to the Court on the record and printed arguments by Mr. A. H. Garland and Mr. [illegible]

of counsel for Wagoner et al., and Mr. Fred. H
of counsel for Evans, Treasurer, et al.

149. The Pipe Water Oil Co., Appellant, vs. The United States.

This cause was argued by Mr. Edw B. Smith, of counsel for the appellant, and Mr. Assistant Attorney General Hoyt, counsel for the appellee.

941. Marianna J. Baldy, by her next friend W. B. Pritchard, Plff in Error, vs. John N. Hunter, Executor &c.

This cause was argued by Mr. Pope Barrow, of counsel for plaintiff in error, and Mr. P. H. Meldrim, of counsel for the defendant in error.

943. The County of Mercer in the State of Kentucky, Plff in Error, vs. The Provident Life & Trust Co. defendant in error.

The argument in this cause was commenced by Mr. P. H. Bulle of counsel for

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna

John M. Wright Esquire, Marshal.
James A. McKenney, Clerk

Proclamation being made the Court [illegible]

On motion first made to the Court in this behalf by Mr. A. J. Fisher it is ordered that Frederick R. Van Voorst, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Burton Hanson it is ordered that James H. Barnard, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

By Mr. William Lindsay it is ordered that James A. Clay, Esquire, of Henderson, State of Kentucky, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Holdsworth Gordon it is ordered that Arthur A. Vin Brunt, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

154. Quincy A. Shaw, Plff in Error, vs. Murray M. Kellogg. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the Circuit Court of the United States for the District of Colorado in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Brewer.

S. H. Williams, Treasurer of the Town of Glastonbury, Hartford County, State of Connecticut
v. Appellant,
210. Arthur F. Eggleston, Attorney for the State of Connecticut

In Error to the Supreme Court of Errors of the State of Connecticut

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Brewer.

The Plaquemines Tropical Fruit Company,
v. Appellant,
204. Milligan Henderson and Henry J. Leovy.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. Per Mr. Justice Harlan.

J. J. McCoach & A. F. Walker, Receivers, v. Petitioners, vs. A. F. Miles, Administrator &c. — It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be and the same is hereby postponed until the hearing of the cause on its merits.

Mr. Chief Justice Fuller.

555. L. P. Dawson, v. Petitioner, vs. M. C. Rugbin, Agent of the State of Georgia, et al. — On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Mr. Chief Justice Fuller.

634. Charles Pope Glucose Company et al., v. Petitioners, vs. Chicago Sugar Refining Co. — On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of

Counsel thereupon had, as well in support of as against the same, It is now ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

233. The United States, Plff in Error, vs. R. E. M. Glasham. In Error to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

(per Mr. Chief Justice Fuller.)

628. The City of Bangor, Petitioner, vs. The Barber Asphalt Paving Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John F. Shafroth, in support of the same, and Mr. James A. Brown, in opposition thereto.

544. The Tolleston Club of Chicago, vs. Aff'm in Error, John A. Clough. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Frank J. Smith, Mr. Addison L. Gardner, and Mr. Randall H. Burns, in support of the same, and Mr. Frederic Ullman, in opposition thereto.

553. Lars Thompson, vs. Aff'm Error, The State of Utah. On motion of Mr. L. T. Michener, of counsel for the defendant in error leave is hereby granted the Clerk to issue the mandate in this cause.

696. The Board of County Commissioners of Kiowa County, Kansas, vs. Petitioner, Charles D. Rathbone. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Daniel Smyth, in support of the same, and Mr. John F. Dillon, Mr. Henry Hubbard, and Mr. John M. Dillon, in opposition thereto.

643. The Chicago, Milwaukee & St. Paul Railway Company, Petitioner, vs. C. H. Bosworth, Receiver to The Hunting Elevator Company,

644. Petitioner, vs. C. H. Bosworth, Receiver &c. Jacob Rauf,

645. Petitioner, vs. C. H. Bosworth, Receiver &c.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Burton Hanson and Mr. George W. Peck, in support of the same, and Mr. Bluford Wilson and Mr. C. B. Warren, in opposition thereto.

644½. C. H. Bosworth, Receiver &c. Petitioner, vs. The Cairo, Ryder & Eagle Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Bluford Wilson and Mr. C. B. Warren, in support of the same, and Mr. Burton Hanson and Mr. George W. Peck in opposition thereto.

278. Southern Railway Co., Appellant, vs. Carnegie Steel Co., Limited.

On motion of Mr. Fairfax Harrison, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby continued until the next

611. Charles H. Venner, Petitioner, vs. The Farmers' Loan & Trust Company et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William E. Blake, in support of the same, and Mr. William A. Underwood and Mr. Frederic B. Vinvorst, in opposition thereto.

614. Mrs. A. E. Fitzhugh, Guardian, Petitioner, vs. Mr. Fisher Hazzard. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. A. S. Lathrop, in support of the same.

622. John McMurray, Petitioner, vs. Julia E. Hoffman, Executrix. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William A. Maury, Mr. L. B. Cox, and Mr. R. Percy Wright, in support of the same, and Mr. Angus Mallory, in opposition thereto.

651. The Canada Sugar Refining Co., Limited, Petitioner, vs. The Insurance Co. of North America et al. The petition for a writ of certiorari herein was submitted to the consideration

of the Court on printed arguments by Mr. Hil-
helmus Mynderse, in support of the same, and
Mr. C. A. Kent, in opposition thereto.

654. William Johnson & Co., Limited, Petitioner, vs. Halvard Johnson. The petition for a writ of certiorari was submitted to the consideration of the Court on a printed argument by Mr. J. Parker Kirlin, in support of the same.

257. The St. Paul, Minneapolis & Manitoba Railway Co., Appellant, vs. Russell Sage, Trustee. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr. A. B. Browne, in behalf of counsel, for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

763. Charles J. Meadowcroft et al., Plaintiffs in Error, vs. The People of the State of Illinois. It is ordered by the Court that this cause be, and the same

243 The County of Mercer, in the State of Kentucky, Pl'ff in Error. vs. The Provident Life & Trust Co. Def't in Error.

By argument of this cause was continued by Mr. S. H. Pulliam, of Counsel for the defendant in error, and Mr. John B. Thompson and Mr. Alexander Pope Humphrey, of Counsel for the plaintiff in error, and concluded by Mr. Samuel Dickson, of Counsel for the defendant in error.

245. Walter A. Harrison Pl'ff in Error. vs. Franklin J. Morton Def't in Error.

The argument of this cause was commenced by Mr. William Pinkney Whyte, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown Associate
George Shiras Jr., Justices
Edward D. White
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. J.C. Spooner it is ordered that Frederick Julius Matthews, Esquire of Milwaukee State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. S. M. Wood it is ordered that Samuel F. Neil, Esquire, of Salinas City, Monterey County State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Thomas H. Clark it is ordered that William Scott, Esquire, of Lexington, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to this Court in this behalf by Mr. St. John Boyle it is ordered that Swagar Sherley, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

765. T. E. B. Mason et al., vs. Plffs in Error, Alexander McLeod. — It is ordered by the Court that this cause be and the same is hereby passed temporarily.

769. The Village of Norwood, vs. Appellant, Ellen R. Baker. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. S. Bundy, of counsel for the appellant, and Mr. Charles H. Baker, of counsel for the appellee.

781. Francis J. Lowry, Sole Receiver &c., vs. Plff in Error, Laura B. Bush, Admix &c. — It is ordered by the Court that this

same is hereby continued until the next term per stipulation of Counsel.

282. The Washington Gas Light Company et al., vs. Plff in Error, Thomas F. Lansdale. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of Counsel.

286. Jacob Sonnenthiel, vs. Plff in Error, The Christian Moerlein Brewing Co. et al. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term per stipulation of Counsel.

245. Walter H. Harrison, vs. Plff in Error. Franklin J. Morton. The argument of this cause was continued by Mr. William Penn Whyte, of counsel for the plaintiff in error, and Mr. Edgar H. Gans and Mr. Samuel Gordon, of Counsel for the defendant in error, and concluded by Mr. Frederic D. McKenney, of counsel for the plaintiff in error.

246. Abram H. Hendry et al., vs. Appellants. Ocean Steamship Co. The argument of this cause was commenced by Mr. Eugene P. Carver, of Counsel for the appel-

Wednesday, May 11th, 1898.

Pursuant to adjournment this Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. F. Mickener it is ordered that Selwyn Douglas, Esquire, of Oklahoma City, Territory of Oklahoma, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Wayne Parker it is ordered that John Chetwood, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf of

by Mr. Wilkinson. And it is ordered that A.W.C. Duncan Esquire, of Uinta, Indian Territory be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

275. The California National Bank of San Francisco, Pltff in Error vs. Richard P. Thornton, Deft in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Eddy Knapp, Mr. Robert Rae and Mr. John Chetwood, of counsel for the plaintiff in error, and Mr. A. H. Ricketts, of counsel for the defendant in error.

276. The California National Bank of San Francisco, et al, Pltffs in Error vs. P. K. Slaker et al, Defts in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Eddy Knapp and Mr. Robert Rae, of counsel for the plaintiffs in error, and Mr. Robert B. Mitchell, of counsel for the defendants in error.

277. The Sopori Land & Mining Co, Appellant, vs. The United States et al. It is ordered by the Court that this cause be, and the same is hereby, continued

279. The United States, Appellant, v. The City of Albuquerque. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

516. The American Loan & Trust Company, Trustee, Appellant, v. Silas A. H. Mank, Oliver H. Mink, C. Ellery Anderson et al., Receivers &c. Appeal from the Circuit Court of the United States for the District of Nebraska.

It appearing to the Court that a motion by counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

746. Abram H. Hendry et al., Appellants, v. Ocean Steamship Company. The argument of this cause was continued by Mr. Eugene P. Carver, of counsel for the appellants, and Mr. Rufus A. Russell, of counsel for the appellee, and concluded by Mr. Eugene P. Carver, of counsel for the appellants.

247. John R. Holloway & al. vs. Hoffman Exor, James A. Dunham et al.

This cause was argued by Mr. Fred. Ball, of counsel for the plaintiffs in error and Mr. Selwyn Douglas, of counsel for the defendants in error.

248. Kingman & Co. vs. Hoffman Exor. The Western Manufacturing Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. A. McIntosh, of counsel for the plaintiffs in error, and Mr. W. L. Lamb, of counsel for the defendant in error.

254. The Louisville Trust Co. vs. Appellant, The Louisville, New Albany & Chicago Railway Co.

255. The Louisville Banking Co. vs. Appellant, The Louisville, New Albany & Chicago Railway Co.

The argument of these cases was commenced by Mr. S. C. Field, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

632.

633.

580. Charles E. Pope, Receiver &c., Petitioner vs. The Louisville, New Albany & Chicago Railway Co.

Mr. G. H. Kretzinger, in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to withdraw the certified copy of the transcript of record filed herein as an exhibit to the petition for a writ of certiorari, for the purpose of using the same on appeal allowed in the same case.

288.

289.

Thomas Finley,
vs.
Albert Richardson, Sheriff of Harris County, Texas.

Thomas Finley,
vs.
Albert Richardson, Sheriff of Harris County, Texas.

Wm. Tuley P. Gunn, of counsel for the appellee and defendant in error, suggested the death of Albert Richardson, and moved the Court to make Bobie R. Anderson his successor as Sheriff of Harris County, Texas, the party appellee and defendant in error in these causes.

And it appearing to the Court that this cause should, and same is hereby continued until the next term, by stipulation of counsel.

Aaron H. Jeekendorf et al.,
vs.
Louis Jeekendorf, Executor.

Appellants,

Louis Le Claire,
vs.
Old Peabody.

In Error to the Circuit Court of the United States for the District of Washington.

No. [illegible]

This cause having been called for hearing in its regular order, and it appearing to the Court [illegible]

It is ordered by the Court that this cause be, and the same is hereby

script of the record, It is, therefore,
suance of the tenth rule of this Court,
here ordered and adjudged by this
that the writ of error in this cause
the same is hereby, dismissed wi
per Mr. Chief Justice.

254. The Louisville Trust Co., Appellant,
vs.
The Louisville, New Albany & Chicago Railway Company.

255. The Louisville Banking Co., Appellant,
vs.
The Louisville, New Albany & Chicago Railway Company.

Concluded by Mr. G. W. Kretzinger, for the appellee.

632 Thomas Tinsley, Appellant,
vs.
Archie A. Anderson, Sheriff &c.

633 Thomas Tinsley, Appellant,
vs.
Archie A. Anderson, Sheriff &c.

Error.

Proclamation being made the Court is ad
until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met at 12 o'clock at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

117. The United States, Appellant, v. M. Salambier. The submission of this cause heretofore is set aside, and the cause re-submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Hoyt, of Counsel for the appellant, and Mr. Edwin B. Smith, of Counsel for the appellee.

298. George Cunda, v. Riffin Eisa, The United States. This cause was submitted to the consideration of the Court on the record and print-

the plaintiff in error, and Mr. Assistant Att
General Boyd, of counsel for the defendant

Charles H. Nordstrom,
357. vs. Appellant,
William N. Moyer, Sheriff,
etal.

Motions to
"mis or affi
this cause d
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Consideratio

the Court on the record and printed argu
by Mr. Patrick Henry Winston and Mr. Geo
in support of the same, and Mr. James Hi
Lewis, in opposition thereto.

Thomas Tinsley,
632. vs. Appellant,
Archie R. Anderson, Sheriff &c.
Thomas Tinsley
633. vs. Plff in Error,
Archie R. Anderson, Sheriff &c.

Reargumen
these cases w
continued o
James L. Bi
Counsel for th
pellant and p
ltff in error, c

Concluded by Mr. Presley K. Ewing, for
for the defendant in error and Appellee.

Simon Amonia,
255. vs. Plff in Error,
The United States

In Error to the Distri
of the United States fo
Western District of Ar

Dd.

This cause came on to be heard on the trans
of the record from the District Court of the U
States for the Western District of Arkansas,
the plaintiff in error having been represented

Counsel called by the Marshal to come into Court and prosecute his writ of error, and failing to appear, it is, thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. Assistant Attorney General Boyd, of Counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed; and that this cause be, and the same is hereby, remanded to the said District Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

259. The Henderson Bridge Co. et al. vs. Kitty, in Error. The City of Henderson.

260. The Henderson Bridge Co., et al., vs. Kitty, in Error, The City of Henderson.

The argument of these cases was commenced by Mr. Malcolm Yeaman, of Counsel for the plaintiffs in error, and continued by Mr. James H. Clay, of Counsel for the defendant in error.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Monday, May 9th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. [illegible] Associate
George Shiras Jr. Justices
Edward D. White
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. J. Hemphill it is ordered that Hollis L. Coudeman, Esquire, of Kalamazoo, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. Matthews it is ordered that Clarence Marion Bruns, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred. Bell it is ordered that Thos. J. Lefkovich, Esquire, of Aberdeen, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Frederick H. Smith, Herbert N. Logan, Samuel Franklin et al., Plffs in Error, vs. The United States

In Error to the Supreme Court of the Territory of Arizona.

No. 217.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed.

Per Mr. Justice Peckham.

Everett Jolly vs. Plff in Error The United States.

In Error to the District Court of the United States for the District of Kentucky.

No. 238.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this

Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Gray.

227. Henry J. Warner vs. Iliff in Error, The People of the State of New York. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice White.

197. William Dugald Stuart, vs. Iliff in Error, The City of Easton and The County of Northampton. Writ of Certiorari to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be and

same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Tennessee.

Per Mr. Justice White.

The Virginia & Alabama Coal Company, suing in its own behalf and for the use of The Sloss Iron and Steel Company, Appellant, vs. The Central Railroad & Banking Company of Georgia, et al. } On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

No.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Georgia.

Per Mr. Justice White.

Mr. Justice Peckham and Mr. Justice McKenna, not having heard the argument, took no part in the decision of this case.

21. T. A. Rhodes, Plff in Error vs. The State of Iowa. — In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice White.

Dissenting:
Mr. Justice Gray
Mr. Justice Harlan
Mr. Justice Brown.

514. S. W. Vance, W. M. Bahr, J. M. Scott, W. Livingston, C. S. Moseley and M. Peterman, Appellants, vs. W. A. Vandercook Company. — Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof it is now

It is ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed in part and reversed in part; each party to pay one-half of the costs in this Court. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree setting aside the injunction, and dismissing the bill to the extent indicated in the opinion of this Court, and perpetuating the injunction only in so far as is pointed out, the whole in accordance with the views expressed in the opinion of this Court.

Per Mr. Justice White.

Dissenting:
Mr. Justice Shiras,
Mr. Chief Justice Fuller, and
Mr. Justice McKenna.

515. S. H. Vance, H. N. Baker, and J. M. Scott, vs. H. A. Vandercook & Company. In Error to the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed in part and reversed in part; each party to pay one-half of the costs in this Court. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree setting aside the injunction, and dismissing the bill to the extent indicated in the opinion of this Court, and perpetuating the injunction only in so far as is pointed out, the whole in accordance with the views expressed in the opinion of this Court.

Per Mr. Justice White.

Dissenting:
Mr. Justice Shiras,
Mr. Chief Justice Fuller, and
Mr. Justice McKenna.

same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the case for want of jurisdiction.

Per Mr. Justice White.

The Texas & Pacific Railway Company, Plff in Error, vs. Alexander Reeves. In Error to the United States Circuit Courts of Appeals for the Fifth Circuit.

No. 208.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Texas.

Per Mr Justice Brown.

Dissenting:
Mr. Justice White.

94. Boyden Power Brake Co. et al., Appellants, vs. George Westinghouse Jr. and The Westinghouse Air Brake Co. } On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

116. George Westinghouse, Jr. and The Westinghouse Air Brake Co., Appellants, vs. Boyden Power Brake Co. et al.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed, costs in this Court to be paid by George Westinghouse, Jr. and The Westinghouse Air Brake Company. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Maryland.

Per Mr. Justice Brown.

Dissenting:
Mr. Justice Gray,
Mr. Justice Brewer,
Mr. Justice Shiras and
Mr. Justice McKenna.

205. The United States, vs. Patrick Henry Winston. In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Washington.

Per Mr. Justice Brewer.

272. The United States, Appellant, vs. John H. Herron. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings.

Per Mr. Justice Brewer.

274. The United States, Appellant
vs.
Charles H. Carter.
Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brown.

583. John Andersen
vs.
The United States.
In Error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

Dissenting;
Mr. Justice McKenna.

The Chief Justice announced that the Court would take a recess [illegible]

548. The Tolleston Club of Chicago, vs. John N. Clough. Motion to dismiss or affirm.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be and the same is hereby postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

622. John McMullen, vs. Julia E. Hoffman, Executrix &c. Petitioner. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of Counsel thereupon had, & well in support of & against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

626. The Board of County Commissioners of the County of Kiowa, Kansas, vs. Charles D. Raitborne, Petitioner. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court

628.

641.

of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well in support thereof as against the same, it is ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The City of Dezaret, Pl'ff in Error,
vs. Petitioner,
Ry Barber Asphalt Paving Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

Upon consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well in support thereof as against the same, it is now ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Clarence A. Vezner, Pl'ff in Error,
vs. Petitioner,
The Stimmen Law & Trust Company et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

Upon consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well in

ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

The Chicago, Milwaukee & St. Paul Railway Company, Petitioner, vs. C. H. Bosworth, Receiver &c. et al. — On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

614.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

The Hunting Elevator Company, Petitioner, vs. C. H. Bosworth, Receiver &c. et al. — On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

614.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

6465 Jacob Rau
vs. Petitioner,
C.H. Bosworth, Receiver &c. et al.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby granted.

Per Mr. Chief Justice Fuller.

6467 C.H. Bosworth, Receiver &c.,
vs. Petitioner,
The Chas. Ryder & English Company.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

614. Mrs. N. E. Filzhugh and her husband, L. H. Filzhugh, vs. Mrs. Fisher Hazzard. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

655. The Canada Sugar Refining Company, Limited, vs. The Insurance Company of North America. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

654. William Johnston & Co., Limited, Claimant of the Steamship "Edenmore", Petitioner, vs. Halvard Johanson. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

580. Charles E. Pope, Receiver &c., Petitioner, vs. The Louisville, New Albany & Chicago Railway Co. On Consideration of the motion for leave to withdraw the Certified Copy of the transcript of record from the United States Circuit Court of Appeals filed herein as an exhibit to the petition for a writ of certiorari, It is now here ordered by the Court that said motion be, and the same is hereby, granted so far as to allow said transcript to be re-filed, as part of the record on any appeal that may be allowed in the cause in question in favor of said Pope, Receiver, and docketed in this Court.

Per Mr. Chief Justice Fuller.

49. C. J. Smyth, Attorney General, et al., Appellants, vs. Oliver Ames et al. It is ordered by the Court that leave, be, and the same is hereby, given to file the petition for a modification of the decrees

50. C. J. Smyth, Attorney General, et al., Appellants, vs. George Smith et al.

51. C. J. Smyth, Attorney General et al., Appellants, vs. Henry L. Higginson et al.

herein and to appellees to answer the same within ten days. Notice of the pendency of the petition to be given in the interim.

Per Mr. Chief Justice Fuller.

354. Charles H. Nordstrom, Appellant, vs. William H. Moyer, Sheriff of King County, State of Washington, and The State of Washington. Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

656 The United States, Petitioner, vs. E. A. Morrison & Son. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Richards, in support of the same, and Mr. Abel Comstock, in opposition thereto.

657 The United States, Petitioner, vs. N. Holff & Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Solicitor General Richards, in support of the same.

1495 The Security Trust Co., as Assignee &c., Plaintiff in Error, vs. Frank H. Dodd et al. Mr. A. B. Browne, in behalf of Counsel for the Plaintiff in Error, submitted to the consideration of the Court a motion to advance this cause.

659 Charles A. Hendrickson, Petitioner, vs. Chester B. Bradley. The petition for a writ of certiorari and motion for a restraining order herein were submitted to the consideration of the Court by Mr. Asa Bird Gardiner, in support of the same, with leave to Mr. Van Arsdale to file a printed brief in opposition thereto within five days.

38. The Central National Bank of Boston et al., vs. (Plffs in Err., Aaron K. Stevens et al.,) Thereto ... from ... date ... submit ... Consid ...

of the Court on Printed Arguments by ... Howard Winslow Paige, of Counsel for the ... fendants in Error, and Mr. Charles C. ... of Counsel for the Plaintiffs in Error.

259. The Henderson Bridge Co. et al., vs. (Plffs in Error, The City of Henderson.) On motion ... James ... Counsel ... defend ... Error, ... thereby ... him to ...

260. The Henderson Bridge Co. et al., vs. (Plffs in Error, The City of Henderson.)

Supplemental Brief therein.)

259. The Henderson Bridge Co. et al., vs. (Plffs in Error, The City of Henderson.) The arg ... of these ... Concluded ... Mr. Wm. ... Lindsay ... Counsel ... Plaintiffs ...

260. The Henderson Bridge Co. et al., vs. (Plffs in Error, The City of Henderson.)

Proclamation being made the Court is ... until Monday, the 23d instant, at twelve ...

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Griggs it is ordered that James S. Erwin, Esquire, of Jersey City, State of New Jersey, Haney Lewis, Esquire of South McAlester, Indian Territory, and William J. Daly, Esquire, of Hoboken, State of New Jersey be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that H. E. Odell, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor

On motion first made to the Court in this behalf by Mr. E. C. Wescott it is ordered that Henry P. Rogers, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James G. Maguire it is ordered that Charles P. Conlan, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Lamar it is ordered that Wallace Greene, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. D. Cross it is ordered that John L. G. Lee, Esquire, of Baltimore, State of Maryland, and George Rountree, Esquire, of Wilmington, State of North Carolina, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilkins on Call it is ordered that S. R. Stallingstick, Esquire, of Talbot County, Eastern Territory, be

admitted to practice as attorney and
Counsellor of this Court and hold themselves ac-
cordingly.

On motion first made to the Court in this behalf
by Mr. David Turpie it is ordered that H. P. Bil-
lard, Esquire, of Fort Scott, State of Kansas, be
admitted to practice as attorney and
Counsellor of this Court and he holds himself ac-
cordingly.

On motion first made to the Court in this behalf
by Mr. Frank W. Hackett it is ordered that
Charles Elwood Foster Esquire, of Washington
District of Columbia be admitted to practice
as attorney and Counsellor of this Court
and he holds himself accordingly.

On motion first made to the Court in this behalf
by Mr. A. B. Brown it is ordered that John M.
Baldwin, Esquire, of Butte City, State of Mon-
tana, be admitted to practice, as an attorney
and Counsellor of this Court and he holds himself
accordingly.

On motion first made to the Court in this behalf
by Mr. Edward Winslow Paige it is ordered that
Julius A. Seymour, Esquire, of New York
City, be admitted to practice as attorney
and Counsellor of this Court and he holds

8. The United States, Appeal from
vs. Appellant, of Private L
Land Cl'ms.

This cause came on to be heard on t
reciptof the record from the Court o
Land Claims, and was argued by Co
On Consideration whereof, It is now he
adjudged, and decreed by this Court
decree of the said Court of Private L
in this cause be, and the same is here
and that this cause be, and the same
remanded to the said Court of Priv
Claims for further proceedings.

Per Mr. Justice McK

Dissenting:
Mr. Justice Brewer,
Mr. Justice Brown,
Mr. Justice Shiras, and
Mr. Justice Peckham.

236. The Detroit Citizens' Street Railway Company, vs. Plff in Error, The Detroit Railway and The City of Detroit.

In Er
Supre
of the
Mich

This cause came on to be heard on the t
of the record from the Supreme Court o
of Michigan, and was argued by co
On consideration whereof, It is ord

ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice McKenna.

(Mr. Justice Shiras did not hear the argument and took no part in the decision of this case.)

245. Walter A. Harrison, Plff in Error, v. Franklin J. Morton. In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(per Mr. Justice McKenna.

(Mr. Justice Gray did not hear the argument and took no part in the decision of this case.)

298. George Pounds, Plff in Error, v. The United States. In Error to the District Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United

argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice McKenna.

No. George Schollenberger vs. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

Dissenting:
Mr. Justice Harlan and
Mr. Justice Gray.

87. George E. Paul, Plaintiff in Error, vs. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

Dissenting:
Mr. Justice Harlan and
Mr. Justice Gray.

88. J. Otis Paul, Plaintiff in Error, vs. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered

of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

Dissenting:
Mr. Justice Harlan and
Mr. Justice Gray.

17. Clarence E. Collins, In Error to the Supreme Court of the State of New Hampshire.
v. Kelly in Error;
The State of New Hampshire.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New Hampshire, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

Dissenting:
Mr. Justice Harlan and
Mr. Justice Gray.

235. The United States, Appellant; vs. George P. Lee & Co. } Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Peckham.

247. John R. Holloway, Plff in Error, vs. James N. Dunham, William L. Buckley, Charles Webb, and William E. Webb. } In Error to the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Dissenting, Per Mr. Justice Brown.

190 Frederick W. Fink and Albert Haut, trading as John W. Fink, vs. Appellants, The United States. On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the affirmative and the second question in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice White.

45 Josephine N. Hupperman, Appellant, vs. The Steamship "Unit Prince", Fish Engines &c., Ernest Legge, Claimant. Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree

of the District Court of the United States for the Eastern District of New York in this cause, be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice White,

Dissenting:
Mr. Justice Brown and
Mr. Justice Brewer.

207. The Texas & Pacific Railway Company vs. Andy Mehaffy. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Texas.

Per Mr. Justice White.

Dissenting:
Mr. Justice Brown.

29. Martin B. Hayes, Appellant, vs. The United States. Appeal from the Court of Private Land Claims.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice White.

Dissenting:
Mr. Justice Shiras.

(Mr. Justice McKenna, not having heard the argument, took no part in the decision of this case.)

117. The United States, Appellant, vs. M. Salambier. On certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Shiras.

D. Wagoner and W. P. Wagoner, copartners under the firm name of D. Wagoner & Son, and S. B. Burnett,

252. vs. Appellants

Neil W. Evans, Treasurer of Canadian County, et al.

Appeals from the Supreme Court of the Territory of Oklahoma.

Neil W. Evans, Treasurer of Canadian County, et al,

262. vs. Appellants,

D. Wagoner and W. P. Wagoner, copartners under the firm name of D. Wagoner & Son, and S. B. Burnett.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed, the costs in this Court to be paid by the plaintiffs, D. Wagoner & Son and S. B. Burnett; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to reverse the decree of the District Court in so far as it restrains the county authorities from collecting taxes for county purposes for the year 1895, and to affirm the rest of that decree.

Per Mr. Justice Shiras

William L. Ledbetter,
196. vs. Affirmed.
The United States.

In Error to the District Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Iowa, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brown.

The New York Indians,
106. vs. Appellants,
The United States.

It is ordered by the Court that the judgment heretofore entered herein, to wit, April 11, 1898, be, and the same is hereby, vacated & set aside.

Per Mr. Justice Brown.

The New York Indians,
106. vs. Appellants,
The United States.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby

reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter a new judgment for the net amount actually received by the Government for the Kansas lands, without interest, less any increase in value attributable to the fact that certain of these lands were donated for public purposes as well as the net amount which the Court below may find could have been obtained for the lands otherwise disposed of if they had all been sold as public lands, less the amount of lands upon the basis of which settlement was made with the Tonawandas, and less the 10,760 acres allotted to the thirty-two New York Indians, as set forth in finding twelve, together with such other deductions as may seem to the Court below to be just, and for such other proceedings as may be necessary and in conformity with the opinion of this Court.

Per Mr. Justice Brown.

117. The Del Monte Mining and Milling Company, v. The Last Chance Mining and Milling Company. Appellant, } On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on a certificat

for the Eighth Circuit, and was argued by Counsel. On Consideration Whereof, It is the opinion of this Court that the first question certified must be answered in the affirmative, the third in the negative, and the fourth in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

(Per Mr. Justice Brewer.)

145. William A. Clark, Plff in Err., vs. William F. Fitzgerald, Meyer Genzberger, James W. Forbis and William P. Forbis. In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by Counsel. On Consideration Whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brewer.)

243.

248.

The President, Life and Trust Company of Philadelphia, vs. Petitioner, The County of Mercer, in the State of Kentucky. — On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby reversed with costs, and the judgment of the Circuit Court of the United States for the District of Kentucky be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Circuit Court.

Per Mr. Justice Brewer.

Kingman & Company, vs. Affirmor, The Western Manufacturing Company. — On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof,

Court that the judgment of the said United
Circuit Court of Appeals in this cause be,
the same is hereby, reversed with costs; a
that this cause be, and the same is hereby
manded to the said United States Circui
of Appeals for further proceedings.

Per Mr. Chief Justice Fulle

P. E. B. Mason and Laura A. Mason, vs. Alexander McLeod. No. 265. W. Iliff in Error. In Error to the Supreme Court of the State of Kansas.

This cause having been called for hearing
its regular order, and it appearing to the C
that the parties have failed to print the t
script of the record, it is, therefore, in ac
dance of the tenth rule of this Court, now
ordered and adjudged by this Court that
writ of error in this cause be, and the sa
is hereby, dismissed with costs.

Per Mr. Chief Justice Fulle

The Security Trust Company, as Assignee &c., vs. Frank A. Dodd et al. No. 495. W. Iliff in Error. On consid
tion of the
tion to dis
this cause
it is now

ordered by the Court that said motion be, a
the same is hereby, granted, and the cause
vanced to be submitted on printed argu

as under Rule 32.

Per Mr. Chief Justice Fuller.

656. The United States, Petitioner, vs. E. A. Morrison & Son. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had in support of and against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

657. The United States, Petitioner, vs. H. Wolff & Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had in support of and against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

667. Fred. A. McMaster, Admr &c., Petitioner, vs. The New York Life Insurance Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry J. Taylor, in support of the same, and Mr. G. W. Hubbell and Mr. W. E. Odell, in opposition thereto.

665. The Carson City Gold & Silver Mining Company, Petitioner, vs. The North Star Mining Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. L. Rawlins, in support of the same, and Mr. C. H. Lindley, in opposition thereto.

675. The Estate of E. J. Hart, Sr., et al., Petitioners, vs. Mrs. B. W. Bowen & husband. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Charles E. Tinnen, Mr. Henry J. Leovy, and Mr. Guy M. Hornor, in support of the same.

660. David S. Walton et al., Petitioners, vs. The Morgan Envelope Co. The petition for a writ of certiorari herein was submitted to

664. 669. 673.

the Consideration of the Court on printed arguments by Mr. Walter A. Edmonds, in support of the same, and Mr. Melville Church and Mr. Joseph B. Church, in opposition thereto.

Gates Iron Works,
vs. Petitioners,
Fraser & Chalmers.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. L. L. Bowman and Mr. Edmund Wetmore, in support of the same, and Mr. L. L. Bond, Mr. A. H. Adams, Mr. C. F. Perkins, and Mr. J. L. Jackson, in opposition thereto.

Riley Jones et al.,
vs. Petitioners,
James A. Allen et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. M. Taylor, in support of the same, and Mr. U. M. Rose and Mr. G. G. Rose, in opposition thereto.

The Central Trust Company of New York,
vs. Petitioner,
The Continental Trust Co. of the City of New York et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court

and Mr. A. K. Johns, in support of the same, and Mr. F. J. Stimson, Mr. E. O. Wolcott, and Mr. J. F. Dale, in opposition thereto.

672. Samuel Evans et al., Petitioners, vs. Swiss Ornamental Glass Company et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argument by Mr. James A. Raymond, in support of the same.

Ex parte In the matter of Blount Martin, Petitioner. Mr. William F. Hutchings, of counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.

666. Charles Adolphe Low et al., Petitioners, vs. William N. Blackford et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles Steele and Mr. William D. Guthrie, in support of the same, and Mr. R. O. Burton, Mr. George Rountree, Mr. E. J. D. Crosse, Mr. A. L. Bond, Jr., and Mr. H. B. Turner, in opposition thereto.

674. Edward Clifford, Appellant, vs. William Keller, Sheriff &c. The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. James S. Edwin, in support of the same, and leave was granted Mr. W. D. Daly to file a brief in opposition thereto within four days.

210. S. N. Williams, Treasurer &c., Plff in Error, vs. Arthur F. Eggleston, Attorney &c. On motion of Mr. A. B. Browne, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

292. M. F. Morris et al., Appellants, vs. The United States. Mr. Calderon Carlisle, of counsel for the appellants, submitted to the consideration of the Court motion that the Court fix the division of time allotted for the oral argument, a suggestion as to the order of argument, and a stipulation of Counsel in connection therewith.

606. Kent K. Hayden, Receiver &c., Appellant vs. George G. Williams et al. Mr. Edward Winslow Paige, of counsel for the appellant

a motion to advance this cause.

The United States ebal, Appls, vs. Fleming P. Jennings
" " " " " " " Moses Fallowell
" " " " " " " Price Woody
" " " " " " " Charles H. Hilson
" " " " " " " D. L. Leatherwood
" " " " " " " Robert Carter
" " " " " " " D. P. McCracken
" " " " " " " Emeline Mackey
" " " " " " " Mary Scroggins.

Mr. John Wharton Clark, of counsel for the appellees submitted to the consideration of the Court motions to docket and dismiss these appeals, and leave was granted Mr. Assistant Attorney General Thompson to file opposition thereto on or before Wednesday next.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
David J. Brewer
Henry B. Brown
George Shiras, Jr. Associate
Edward D. White Justices
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion duly made to the Court in this behalf by Mr. S. G. Hilborn, it is ordered that Isaac F. Chapman, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Chief Justice announced that the Court would adjourn for the term on Tuesday, the 31st instant.

Proclamation being made, the Court is adjourned until Tuesday, the 31st instant, at twelve o'clock m.

Tuesday, May 31st, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. A. Barham it is ordered that Philip Stark, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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On motion first made to the Court in this behalf by Mr. George N. Lamar it is ordered that Charles A. Douglass, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wm. J. M. White it is ordered that Warren Olney, Esquire of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and hereby sworn accordingly.

On motion first made to the Court in this behalf by Wm. C. F. Pettis it is ordered that Harry G. Smith, Esquire, of Butte, State of Montana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. P. L. Chadbourne it is ordered that Richard C. Flannigan, Esquire, of Norway, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Justin Hilrath,
Appellant,
vs.
The Champion Mining Company,
Appellee.

Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said United

be, and the same is hereby, affirmed with costs. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

(Per Mr. Justice McKenna.)

No. 111. Pullman's Palace Car Company, Appellant, vs. Central Transportation Company. } Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania. And

No. 446. Pullman's Palace Car Company, Petitioner, vs. Central Transportation Company. } On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed, costs to be paid by Pullman's Palace Car Company; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for The Central Transportation Company in accordance with the opinion of this Court.

(Per Mr. Justice Peckham.)

Dissenting:
Mr. Justice Harlan and
Mr. Justice White.

390. The District of Columbia, Plff in Error, vs. Elizabeth L. W. Bailey, Administratrix of Davis W. Bailey, deceased. } In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and to remand the cause to that Court with directions to dismiss the action.

Per Mr. Justice White.

420. Elizabeth L. W. Bailey, Administratrix of Davis W. Bailey, deceased, Plff in Error, vs. The District of Columbia. } In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by

Hereordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and to remand the cause to that Court with directions to award a new trial.

Per Mr. Justice White.

No. 242. Adelia Young, Cadenia C. Young, and Deleta Maeton, vs. Jennie Amy. Appellants, Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by Counsel. On consideration whereof, It is hereordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr. Justice White,

The Northern Pacific Railroad Company et al., Plffs in Error, v. Patrick R. Smith. — In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

No. 93.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals and the judgment of the Circuit Court of the United States for the District of North Dakota in this cause be, and the same are hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter a judgment in favor of the defendant.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Harlan.

Flint, Eddy & Company, Appellant, v. George Christall and James Greig, as Trustees. — On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

No. 591.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals

sel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

(per Mr. Justice Shiras.

Dissenting:
Mr. Justice Brown and
Mr. Justice McKenna.)

198. William Wheeler Hubbell, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

(per Mr. Justice Brown.)

1149. The Tide Water Oil Company, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was

It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Brewer.

Santiago Ainsa, Administrator of the estate of Frank Ely, deceased, Appellant, vs. The United States. Appeal from the Court of Private Land Claims.

27.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Private Land Claims for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Brewer.

277. The United States, Appellant, vs. Frederick Maish and Thomas Driscoll, partners as Maish & Driscoll. Appeal from the Court of Private Land Claims.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Private Land Claims for further proceedings.

Per Mr. Justice Brewer.

78. Juan Pedro Cannon, Appellant, vs. The United States. Appeal from the Court of Private Land Claims.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court

30. Robert Perrin, Appellant, vs. The United States The Cattenden Land & Cattle Co. et al. Appeal from the Court of Private Land Claims,

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same, is hereby, reversed, and that this cause be, and the same is hereby, remanded to the said Court of Private Land Claims for further proceedings.

Per Mr. Justice Brewer.

239 James Johnson, Plff in Error, vs. George F. Drew. In Error to the Supreme Court of the State of Florida.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

49.	C. J. Smyth, Attorney General, et al., Appellants, vs. Oliver Ames et al.)	On consideration of the application for a modification of the decree entered herein on March 7th, 1898,
50.	C. J. Smyth, Attorney General, et al., Appellants, vs. George Smith et al.)	
51.	C. J. Smyth, Attorney General, et al., Appellants, vs. Henry L. Higginson et al.)	

It is now hereordered by the Court that said decree be, and the same are hereby, vacated and set aside.

(Per Mr Justice Harlan.)

49.	Constantine J. Smyth, Attorney General, W. S. Porter, Secretary of State, John F. Cornell, Auditor of Public Accounts, J. B. Meserve, State Treasurer, and J. W. Wolfe, Commissioner of Public Lands & Buildings, constituting The Board of Transportation of the State of Nebraska, et al., Appellants, vs. Oliver Ames, Oakes Ames, Frank M. Ames, et al.)	Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by Counsel. On consideration whereof, It is now

Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified by striking out the words "and below those now charged by said Companies or either of them or their receivers," and the words "and particularly from reducing its present rates of charges for transportation of freight to those prescribed in said act;" and, as so modified, be, and the same is, hereby, affirmed with costs.

Per Mr. Justice Harlan.

Constantine J. Smyth, Attorney General W.S. Porter, Secretary of State, John P. Cornell, Auditor of Public Accounts, J.B. Meserve, State Treasurer, and J.V. Wolfe, Commissioner of Public Lands and Buildings, Constituting The Board of Transportation of the State of Nebraska, et al., Appellants,

vs.

50. George Smith, Charles F. Goodrich, Lawrence Minor et al.

Appeal from the Circuit Court of the United States for the District of Nebras-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed, by this Court that the decree of the said Circui-

modified by striking out the words "and below those now charged by said companies or either of them," and the words "and particularly from reducing its present rates of charges for transportation of freight to those prescribed in said act" and, as so modified, be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Harlan.)

Constantine J. Smyth, Attorney General, W. S. Poter, Secretary of State, John F. Cornell, Auditor of Public Accounts, J. B. Meserve, State Treasurer, and J. V. Wolfe, Commissioner of Public Lands and Buildings, Constituting The Board of Transportation of the State of Nebraska, et al.,

vs.

Henry L. Higginson, Robert H. Gardner, William C. Wells et al.

Appeal from the Circuit Court of the United States for the District of Nebraska.

51. Appellants,

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified by striking out the words "and below those now charged by said companies or either of them," and the words "and particularly from reducing

its present rates of charges for transportation of freight to those prescribed in said act, and, as so modified, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

539. A. B. White, Collector of Internal Revenue for the District of West Virginia, et al., Appellants, vs. H. C. Penny. Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Shiras.

(Mr. Justice McKenna took no part in the consideration and decision of this case.)

546. A. B. White, Collector of Internal Revenue for the District of West Virginia, et al., Appellants, vs. William Butler. Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the

record from the Circuit Court of the United
for the District of West Virginia, and was
gued by counsel. On consideration whe
It is now here ordered, adjudged, and dec
by this Court that the decree of the said Ci
Court in this cause be, and the same is he
reversed with costs; and that this cau
and the same is hereby remanded to the
Circuit Court with directions to dismis
bill.

Per Mr. Justice Harla

(Mr. Justice McKenna took no part in the
sideration and decision of this case.)

A. B. White, Collector of Internal Revenue for the District of West Virginia, et al.,

vs.

J. G. Ruckman.

Appeal from
cuit Court of
United State
District of
Virginia.

541. Appellants,

This cause came on to be heard on the transcript
the record from the Circuit Court of the United
for the District of West Virginia, and was arg
by counsel. On consideration whereof, It
now here ordered, adjudged, and decreed by
Court that the decree of the said Circuit Cou
this cause be, and the same is hereby, rever
with costs; and that this cause be, and the
is hereby remanded to the said Circuit C
with directions to dismiss the bill.

Per Mr. Justice Harla

673. George Thompson, Plff in Err. vs. The State of Missouri. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Harlan.

211. Marianne J. Baldy, by her next friend, W. B. Pritchard, Plff in Error, vs. John A. Hunter, Executor of Edward H. W. Hunter, deceased. In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

157. Henry C. King, Plff in Error, vs. M. B. Mullins, Alexander McClintock and John McClintock. In Error to the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

240. Henry C. King, Appellant, vs. Panther Lumber Company and Jerome P. Krell. Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Henry C. King,
v. Plff in Error,
M. B. Mullins et al.
Henry C. King,
v. Appellant,
Pontchartrain Lumber Co. et al.

Counsel for the Plaintiff in Error and appel-
ant to present a petition for rehearing
within that time.)

Per Mr. Justice Harlan.

The City of New Orleans,
v. Appellant,
The Texas & Pacific Railway
Company and The Fidelity In-
surance, Trust & Safe Deposit Co. of Louisiana.

Appeal from the Cir-
cuit Court of the
United States for the
Eastern District
of Louisiana.

This cause came on to be heard on the transcript
of the record from the Circuit Court of the United
States for the Eastern District of Louisiana, and
was argued by Counsel. On consideration
whereof, It is now here ordered, adjudged,
and decreed by this Court that the decree of
the said Circuit Court in this cause be, and
the same is hereby, reversed with costs; and
that this cause be, and the same is hereby re-
manded to the said Circuit Court for further
proceedings consistent with the opinion of
this Court.

Per Mr. Chief Justice Fuller.

9. The Pilapsco Guano Company, Appellant, vs. The Board of Agriculture of North Carolina, W. R. Williams et al., Commissioners. Appeal from the Circuit Court of the United States for the Eastern District of North Carolina

431.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Harlan and
Mr. Justice White.

114. William Faxon, Jr., Trustee, et al., vs. The United States and George Wilkinson et al., Appellants, Appeal from the Court of Private Land Claims.

632.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the

same is hereby dismissed.

(Per Mr. Chief Justice Fuller.)

The North American Commercial Company,
vs.
The United States.

On certificate from and bill of exceptions to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the Circuit Court of the United States for the Southern District of New York in this cause be, and the same is hereby reversed, and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter judgment in favor of The United States for $76,687.50, with interest from April 1, 1892, and to enter judgment in favor of The United States on the counter-claim.

(Per Mr. Chief Justice Fuller.)

Thomas Tinsley,
vs. Appellant,
Archie R. Anderson, Sheriff of Harris County, Texas.

Appeal from the Circuit Court of the United States for the Northern District of Texas.

of the record from the Circuit Court of the U
States for the Northern District of Texas, a
argued by counsel. On consideration w
It is now here ordered, adjudged, and d
by this Court that the order of the said C
Court in this cause be, and the same is
affirmed with costs.

Per Mr. Chief Justice Fu

623. Thomas Tinsley, Plff in Err.,
vs.
Archie K. Anderson, Sheriff of Harris County, Texas.
In Error to the
Criminal Ap
the State of T

This cause came on to be heard on the tran
of the record from the Court of Criminal
of the State of Texas, and was argued b
sel. On consideration whereof, It is
ordered and adjudged by this Court that
judgment of the said Court of Crimi
peals in this cause be, and the same
by, affirmed with costs.

Per Mr. Chief Justice Fu

144. The Gila Bend Reservoir & Irrigation Co., Appellant,
vs.
H. H. Linn, Charles B. King, Executors of the will of Charles B. King, deceased, William M. Barton et al.
Appeal
Supreme
of the
of Ari

This cause came on to be heard on the tran

of the record from the Supreme Court of the Territory of Arizona, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

35. The Central National Bank of Boston, et al., Plaintiffs in Error, v. Aaron K. Stevens et al. On consideration of the motion to reform the mandate herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

606. Kent K. Hayden, as Receiver &c., Appellant, v. George G. Williams et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case may be submitted on printed arguments as under Rule 52.

Per Mr. Chief Justice Fuller.

674. Edward Clifford, Appellant, v. William Keller, Sheriff &c. On consideration of the motion to dismiss

gument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.

Ex parte In the matter of Blount Martin, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.

The United States et al., Appts, vs. F. P. Jennings.
The United States et al., Appt, vs. Moses Fellowill.
The United States et al., Appt, vs. Price Woody.
The United States et al., Appts, vs. Charles H. Nelson.
The United States et al, Appts, vs. D. L. Leatherwood.
The United States et al, Appts, vs. Robert Carter.
The United States et al., Appts, vs. A. P. McCracken.
The United States et al., Appts, vs. Emeline Mackey.
The United States et al, Appts vs. Mary Scroggins.

On consideration of the motions to docket and dismiss these appeals, pursuant to the 6th Rule, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

(Per Mr. Chief Justice Fuller.

292. M. F. Morris, et al., Appellants
vs.
The United States.

On consideration of the motion of appellants, Morris and others, that the Court fix the division of time allotted for oral argument; of the suggestion as to the order of argument; and of the stipulation of counsel in connection therewith

It is ordered that one hour additional time be, and it is hereby, allowed to appellants, the heirs of John Marshall and of James Marshall, making, with the two hours, accorded to them by said stipulation, under the previous order herein, three hours, to be divided between them equally, or as their counsel may agree.

That when this cause comes on for hearing, the appeals of these heirs shall be first heard as if one appeal, the cause being opened on behalf of the heirs of each of the decedents, and so closed, The United States, as appellees, taking such time out of the nine hours, at their disposal in the whole cause under the stipulation, as their counsel may be advised.

That all the other appeals shall be heard together, the appellants to open, The United States, appellees, to follow, and appellants to close; appellants to divide the sixteen hours at their disposal as provided in the stipulation, but each of their appeals must be

657. Charles A. Hendrickson, Petitioner, v. Chester B. Bradley. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

660. David S. Wallon and George West, doing business as co-partners under the firm name and style of D. S. Wallon & Co., Petitioners, v. The Morgan Envelope Company. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

664. Yates Iron Works, Petitioner, vs. Fraser & Chalmers. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

665. The Carson City Gold and Silver Mining Company, Petitioner, vs. The North Star Mining Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

666. Charles Adolphe Low et al., Petitioners, vs. William A. Blackford et al. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

667. Fred. A. McMaster, Administrator of the estate of Frank E. McMaster, deceased, Petitioner vs. The New York Life Insurance Company. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

669. Miley Jones et al., Petitioners, vs. James N. Allen et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

672. Samuel Evans and Charles L. Rawson, Petitioners, vs. Siwes Ornamental Glass Co. et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

673. The Central Trust Company of New York et al. vs. The Continental Trust Company of the City of New York et al. Petitioners. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

675. The Estate of J. Hart, Sr. et al, vs. Mrs. B. H. Bowen and her husband. Petitioners. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

683. Alice A. Roberts, Treasurer &c., Petitioner, vs. The United States ex rel. Marie A. Valentine. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Attorney General Richards, in support of the same, and Mr. B. E. Valentine, in opposition thereto.

682. Kate McDonnell et al, Petitioners, vs. The Mercantile Trust Co. et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Audley E. Smith and Mr. Gregory L. Smith, in support of the same, and Mr. D. P. Dyer and Mr. W. A. Blount, in opposition thereto.

243. The Provident Life & Trust Co., Petitioner, vs. The County of Mercer, in the State of Kentucky. — On motion of Mr. Phil. B. Thompson, Jr., in behalf of counsel for the respondent, leave is hereby granted to present a petition for rehearing herein within 30 days.

8. The United States, Appellant, vs. Earl B. Lee. — On motion of Mr. John F. Shafroth, of counsel for the appellee, leave

present a petition for rehearing herein within 30 days.

29. Martin B. Hayes, Appellant, vs. The United States. On motion of Mr. C. H. Armes, in behalf of Counsel for the appellant, leave is hereby granted to present a petition for rehearing herein within 30 days.

53. Charles P. Barrett, Plff in Error, vs. The United States.
175. Charles P. Barrett, Plff in Error, vs. The United States.

Mr. C. C. Lancaster, of Counsel for the plaintiff in error, submitted to the Consideration of the Court a motion to recall the mandates in these cases. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

684. The Santa Fe Electric Company et al., Appellants, vs. Charles C. Hitchcock. Mr. Chapin Brown, of Counsel for the appellee, having filed in open Court the following certificate, to wit:

"Supreme Court of the Territory of New Mexico.
United States of America } ss.
Territory of New Mexico }

I, George L. Wyllys, Clerk of the Supreme Court of the Territory of New Mexico, hereby certify that in a certain cause, pending in said Court, the same being numbered

Seven hundred and thirty-six (736) on the docket of said Court, and being an appeal from the first judicial district Court of the territory of New Mexico held in and for the County of Santa Fe therein, from a judgment or decree of foreclosure and sale under a certain indenture of mortgage, dated October 30th, A.D. 1893, and acknowledged and delivered November 1st, A.D. 1893, by the Santa Fe Electric Company to Charles C. Hitchcock and recorded in the office of the probate clerk and ex-officio recorder of said County of Santa Fe, on said November 1st, A.D. 1893, in Book Letter "A" of mortgage deeds, at pages 318 to 357, of certain lands, premises and property described in said indenture of mortgage and situate in the City of Santa Fe, in said County of Santa Fe; and which said appeal was from a judgment or decree granted and entered in said district Court in a certain cause therein pending, the same being cause number Thirty-five hundred and seventy-one (3571) on the dockets of said district Court, on the 16th day of February, A.D. 1897 and in which cause in said district Court the said Charles C. Hitchcock was complainant, and the said the Santa Fe Electric Company and also the Santa Fe Gas & Electric Company and the Illinois Trust & Savings Bank were defendants, and in which cause pending in said Supreme Court said Santa Fe Electric Company and the Santa Fe

organized and existing under the laws of the said Territory of New Mexico and having their respective principal places of business in said City of Santa Fe;) and the said Illinois Trust and Savings Bank, a corporation of Chicago, Illinois, were appellants or plaintiffs in error, and the said Charles A. Kilbourne was appellee or defendant in error; and in which said Supreme Court a final decision was rendered by said Supreme Court at the July Term A.D. 1897, thereof, on the 2nd day of said term, the same being October 2nd A.D. 1897, in behalf of said appellee, and a final decree was rendered by said Supreme Court pursuant to said decision in behalf of said appellee and against said appellants, modifying the said judgment or decree of said district court and for a judgment of deficiency, if any deficiency there might be, against said appellees the Santa Fe Electric Company and The Santa Fe Gas & Electric Company and also against the sureties on the appeal bond on the said appeal to the said Supreme Court but which judgment for deficiency should not be taken as a prior lien to the deed of trust given by the said The Santa Fe Gas & Electric Company to the said appellant the Illinois Trust & Savings Bank, and affirming in all other respects, the said judgment or decree of the said district court and remanding the said cause to the said district court with directions [illegible] said district

Court, granting its decree modifying its said judgment or decree appealed from as aforesaid, accordingly; and the said appellants thereupon having filed their motion in said Supreme Court on the 9th day of October A.D. 1897, for a rehearing, and the said Supreme Court [illegible] at the said July Term A.D. 1897, begun and held, as aforesaid on the 14th day of July, A.D. 1897, on the 34th day of said term, the same being Thursday, the 11th day of January, A.D. 1898, by its order then granted and entered in said cause pending as aforesaid in said Supreme Court, denied and overruled the said motion for a rehearing, whereupon the said appellants in said Supreme Court on the following day of said term, to wit, on January 12th, A.D. 1898, prayed an appeal to the Supreme Court of the United States from the said final decision and decree of the said Supreme Court of the territory of New Mexico and which appeal was thereupon allowed by said last mentioned Supreme Court on said date last mentioned as appears by the order of said Supreme Court of the territory of New Mexico, granting, entered and filed on said January 12th, A.D. 1898.

In witness whereof I have hereunto set my hand and affixed the Official Seal of said Supreme Court, at my office in

(Seal)

Territory of New Mexico aforesaid,
this 26th day of May, A.D. 1898.
Geo. L. Wyllys,
Clerk &c."

moved the Court to docket and dismiss this cause pursuant to the 6th rule: and it appearing to the Court that the appellants have failed to have their cause filed and docketed, in conformity with the Rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Supreme Court of the Territory of New Mexico be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is, hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.
(Per Mr. Chief Justice Fuller.)

198. William Wheeler Hubbell, Appellant, v. The United States. On motion of Mr. William Wheeler Hubbell, leave is hereby granted to present a petition for rehearing within 30 days.

114. William Fuxon, Jr., Trustee, et al., Appellants, v. The United States et al. On motion of Mr. Duane E. Fox, in behalf of Counsel for the Appellants, leave is hereby granted to present a petition for rehearing herein within 30 days.

180. Julius A. Bely et al.,
vs. Appeals &c.
Joseph Naphtaly.

181. Josiah S. Smith,
vs. Appellant
Joseph Naphtaly.

It is ordered by the Court that leave be, and the same is hereby, granted to present a Petition for rehearing herein within 30 days.

Order.

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business of the term not disposed of by the Court be, and the same are hereby, continued until the next term.

Per Mr. Chief Justice Fuller.

Proclamation being made the Court was opened until the time and place appointed by law.

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At the Capitol of the United States in the City of Washington and District of Columbia, being the present Seat of the National Government of the United States, on the second Monday of October (being the tenth day of the same month) in the year of Our Lord one thousand eight hundred and ninety eight, and of the Independence of the United States the one hundred and twenty-third, the Supreme Court of the United States met agreeably to law.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
Horace Gray
David J. Brewer
Henry B. Brown, Associate
George Shiras, Jr., Justices,
Edward D. White
Rufus W. Peckham
Joseph McKenna.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr. Attorney General Griggs it is ordered that Charles O. Whittemore, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court and

On motion first made to the Court in this behalf, by Mr. Solicitor General Richards it is ordered, that Stuart Maclibbin, Esquire, of South Bend, State of Indiana, Albert R. Dolon, Esquire, of San Francisco State of California, and Walter W. Warwick, Esquire, of Cincinnati, State of Ohio, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that Charles D. Lanning, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. W. Fallmadge it is ordered that David K. Wood, Esquire, of Washington, District of Columbia, and James M. Dalzell, Esquire, of Caldwell, State of Ohio, be admitted to practice, as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Coleman it is ordered that Cornelius B. Nolan and Alexander C. Botkin, Esquires, of Helena, State of Montana, be admitted to practice as attorneys and counsellors of this Court and they

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that, Charles H. Cragin, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Randall Webb it is ordered that William H. Chickering, Esquire, of San Francisco, State of California be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Hayden it is ordered that Albert F. Flint, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. Foraker it is ordered that Alfred M. Cohen, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that,

Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Thomas A. Wilcox and George B. Watson, Esquires, of Kansas City, State of Kansas, and Hill Carter, Esquire, of Richmond, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tracy L. Jeffords it is ordered that Samuel D. Truitt, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

253. The State of Ohio, Appellant, v. J. B. Thomas. Mr. J. K. Richards, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

410. John B. Russell, Petitioner, v. Frederick Stearns & Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court.

On printed arguments by Mr. H. M. Brumbaugh

Mr. Ephraim Banning and Mr. Thomas A. Banning, in support of the same, and Mr. R. A. Parker and Mr. Charles F. Burton, in opposition thereto.

On motion of Mr. Solicitor General Richards, leave is hereby granted him to submit suggestions herein.

306. The Houston & Texas Central Railroad Co., et al., vs. Allyn in Error, The State of Texas.

307. The Galveston, Harrisburg & San Antonio Railway Co., et al., vs. Allyn in Error, The State of Texas.

Mr. Silas Hare, in behalf of counsel for the defendant in error, submitted to the consideration of the Court motions to advance these cases.

331. Waters-Pierce Oil Co., vs. Allyn in Error, The State of Texas.

336. The City of New Orleans, vs. Appellant, John G. Hanna.

The motion to dismiss in this cause, was submitted to the consideration of the Court on the record and printed arguments by Mr. Richard Delgray, Mr. G. D. Rouse, Mr. William Grant, and Mr. Wheeler H. Peckham, in support of the same, and Mr. Samuel L. Gilmore and Mr. Branch K. Miller, in opposition thereto.

1113. Drew M. Springer, vs. Petitioner, Anders Jakobson, Claimant &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Richard De Gray, in support of the same.

304. Edward Clifford vs. Appellant, William Heller, Sheriff &c. Mr. James S. Erwin, of Counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

476. Henry Sanders, vs. Petitioner The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. J. R. Beckwith, in support of the same, and leave was granted Counsel for the respondent to file a brief in opposition thereto within one week.

427. Louis Gallot, vs. Petitioner, The United States. The petition for a writ of certiorari, herein was submitted to the consideration of the Court on a printed argument by Mr. J. R. Beckwith, in support of the same, and leave was granted Counsel for the respondent to file a brief in opposition thereto within one week.

230. Mutual Reserve Fund Life Association
vs. Petitioner
J. K. DuBois, Administrator

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. B. Foraker, in support of the same, and Mr. R. E. McKeland, in opposition thereto.

264. The City of Richmond,
vs. Petitioner,
The Southern Bell Telephone & Telegraph Co.

Mr. H. R. Pollard, of counsel for the petitioner, submitted to the consideration of the Court a motion to advance this cause.

23. The Keokuk & Hamilton Bridge Co.,
vs. Plff in Error,
The People of the State of Illinois.

On motion of Mr. Walter D. Davidge, of counsel for the plaintiff in error, it is ordered by the Court that the cause be, and the same is hereby, passed to be heard with case No. 175, as one case.

391. Fred J. Kiesel & Co.,
vs. Petitioner
The Sun Insurance Office of London.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed

of the same, and Mr. P. C. Van Ness, in opposition thereto.

213. Robert Dunlap. vs. The United States. Appellant. On motion of Mr. George A. King, of counsel for the appellant, It is ordered, by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, November 14th. next, at the head of the call. 337.

184. La Abra Silver Mining Co. vs. The United States. Appellant. On motion of Mr. J. M. Wilson in behalf of counsel for the appellant, It is ordered by the Court that this cause be placed at the foot of the list of cases assigned for the 17th. instant. 52.

239. Lindsay & Phelps Company, vs. John A. Mullen et al. Plff in Error. The motion to advance this cause was submitted to the consideration of the Court on printed arguments by Mr. J. K. Redington and Mr. A. W. Fields, in support of the same, and Mr. Moses E. Clapp, in opposition thereto. 291.

305. The St. Louis Mining & Milling Co. of Montana et al., vs. The Montana Mining Co. Limited. Plffs in Error. The motions to dismiss or affirm in this cause were submitted to the con-

Court on the record and printed arguments by Mr. W. E. Cullen and Mr. C. J. Hughes, Jr. in support of the same, and Mr. W. W. Dixon and Mr. E. W. Poole, in opposition thereto.

The Third National Bank of Philadelphia,
vs. Petitioner,
The National Bank of Chester Valley.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Henry B. Tompkins, in support of the same, and Mr. W. D. Ellis, in opposition thereto.

The United States,
vs. Appellant,
The Oregon & California Railroad Company et al.

On motion of Mr. J. Hubley Ashton, in behalf of counsel for the appellees, it is ordered by the Court that this cause be passed, subject to the provisions of section 4 of Rule 16.

The Telluride Power Transmission Co. et al.,
vs. Affirmance,
The Rio Grande Western Railway Co.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. J. A. Hayden

and Mr. Arthur Brown and Mr. N. P. Henderson, in opposition thereto.

131.

402. S. H. H. Clark et al., Receivers &c., Plffs in Error, vs. The City of Kansas City, Kansas, et al. Mr. George K. Watson, of Counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause.

33. Charles J. Meadowcroft and Frank R. Meadowcroft, Plffs in Error, vs. The People of the State of Illinois. In Error to the Supreme Court of the State of Illinois.

It appearing to the Court that a motion by counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

173.

Per Mr. Chief Justice Fuller.

The Durango Land and Coal Company, — Appellant, vs. Roger C. Evans, Reese L. Carlisle, John Leland, Spragg Shacklford and Frank Adams. — Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

The Covington and Cincinnati Elevated Railroad and Transfer and Bridge Company, — Plaintiff in Error vs. William T. Wilson. — In Error to the Circuit Court of the United States for the District of Kentucky.

It appearing to the Court that an authority of counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Monday, October 10th, 1898, Continued.

The Chief Justice announced that the Court would commence the call of the docket to-morrow, pursuant to the 26th Rule.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, October 11th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered that J. Miller Kenyon and J. Spalding Flannery, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that Clayton E. Emig, Esquire, of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. P. Helm it is ordered that John H. Rodman, Esquire, of Frankfort, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alex. Pope Humphorey it is ordered that Dra Julian, Esquire, of Frankfort, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred Beall it is ordered that W. S. Pendleton, Esquire, of Shawnee, Oklahoma Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leigh Robinson it is ordered that W. Meyer Lewin, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David H. Hood it is ordered that T. H. Null, Esquire, of Huron, State of South Dakota, be admitted to practice as an attorney and counsellor of this

148. Owensboro National Bank, Plff in Error, vs. City of Owensboro et al.
149. Deposit Bank of Owensboro, Plff in Error, vs. City of Owensboro et al.
150. Deposit Bank of Owensboro, Plff in Error, vs. Daviess County et al.
151. Farmers' & Traders Bank &c., Plff in Error, vs. City of Owensboro et al.
356. S. H. Stone, Auditor, et al., Appellants, vs. The President &c. Bank of Kentucky.
357. City of Louisville, Appellant, vs. The President &c. Bank of Kentucky.
358. S. H. Stone, Auditor, et al., Appellants, vs. The Bank of Louisville,
359. City of Louisville, Appellant, vs. Bank of Louisville,
360. S. H. Stone, Auditor, et al., App'ts, vs. The Louisville Banking Co.
361. City of Louisville, Appellant, vs. The Louisville Banking Co.
362. S. H. Stone, Auditor, et al., App'ts, vs. The Bank of Commerce.
363. City of Louisville, Appellant, vs. Bank of Commerce
364. City of Louisville, Appellant, vs. The Third National Bank.
365. City of Louisville, Appellant, vs. The Citizens National Bank
385. S. H. Stone, Auditor, et al., App'ts, vs. The Farmers Bank of Kentucky.
386. The Farmers' Bank of Kentucky, App't, vs. S. H. Stone, Auditor, et al
387. S. H. Stone, Auditor, et al., App'ts, vs. The Deposit Bank of Frankfort.
404. The Third Natl Bank of Louisville, App't, vs. S. H. Stone, Auditor, et al.
405. The Citizens Natl Bank of Louisville, App't, vs. S. H. Stone, Auditor, et al.
406. The Fidelity Trust & Safety Vault Co, App't, vs. The City of Louisville
407. The Fidelity Trust & Safety Vault Co, App't, vs. S. H. Stone, Auditor, et al.
408. The Louisville Trust Co., App't, vs. The City of Louisville.
409. The Louisville Trust Co, App't, vs. S. H. Stone, Auditor, et al.

Mr. Alex. Pope Humphrey, of Counsel, submitted to the consideration of the Court a motion to advance these cases.

320. Johns Hopkins University, Appellant, vs. The Baltimore & Ohio R. R. Co. et al

Mr. Arthur George Brown, of counsel for the Appellant,

consideration of the Court a motion to advance this cause.

1130. Mast, Foos & Co., Petitioners, vs. Stover Manufacturing Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Lysander Hill, in support of the same, and leave was granted counsel for the respondent to file a brief in opposition thereto within ten days.

416. Jesse L. MacDaniel, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Tracy L. Jeffords, in support of the same, and Mr. Assistant Attorney General Boyd, in opposition thereto.

411. Standard Elevator Co., et al., Appellants, vs. Crane Elevator Co., et al. On motion of Mr. Frank P. Brown, of counsel for the appellants, it is ordered by the Court that this cause be, and the same is hereby, passed for settlement.

431. Charles Winston, Petitioner, vs. The United States. On motion of Mr. George Kearney, of counsel for the petitioner, leave is

this cause in forma pauperis; and it is further ordered that the papers be printed at public expense.

William M. Stratton, Petitioner, vs. The United States. — On motion of Mr. S. D. Truitt, of counsel for the petitioner, leave is hereby granted to prosecute this cause in forma pauperis; and it is further ordered that the papers be printed at public expense. (No. 432.)

Edward Smith, Petitioner vs. The United States. — On motion of Mr. Chapin Brown, of counsel for the petitioner, leave is hereby granted to prosecute this cause in forma pauperis; and it is further ordered that the papers be printed at public expense. (No. 433.)

Mariano S. Otero, Appellant, vs. The United States. — Appeal from the Court of Private Land Claims. (No. 179.)

It appearing to the Court that an authority of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said authority, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

201. The Henderson National Bank, Plff in Error, vs. The City of Henderson. In Error to the Court of Appeals of the State of Kentucky.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

7. Daniel Riley, Plff in Error, vs. D. L. Sinkler et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles A. Douglass, of counsel for the plaintiff in error, and Mr. William A. Barber, of counsel for the defendants in error.

20. The United States, Appellant, vs. Rankell & Stone. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Hoyt and Mr. W. J. Hughes, of counsel for the appellant, and Mr. Thomas J. Semmes and Mr. William A. Maury, of counsel for the appellees, with leave to counsel for appellees to file a supplemental brief within three days.

25. The San Diego Land & Town Co., Appellant, vs. The City of National City, et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Charles D. Lanning and Mr. G. Wiley Wells, of counsel for the appellant; and leave was granted counsel for the appellees to file printed briefs within fifteen days.

38. The Sopori Land & Mining Company, Appellant, vs. The United States, Appellee. Appeal from the Court of Private Land Claims. Stephen M. Thomas and Thomas Driscoll.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

11. The Missouri, Kansas & Texas Railway Co., Plff in Error, vs. McCann & Smyser. This cause was re-argued by Mr. George P. B. Jackson, of counsel for the plaintiff in error, and Mr. J. H. Rodes, of counsel for the defendants in error.

12.	Lewis Pierce et al., Trustees, vs. Pffs in Error, The Somerset Railway Co.	The argument of these Causes was commenced by Mr. D. D. Stewart, of Counsel for the Plaintiffs in error.
13.	Lewis Pierce et al, Trustees, vs. Pffs in Error, John Ayer et al.	

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, October 12th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer,
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel T. Fisher it is ordered that Arthur Palmer Pfaff, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

142. Francis J. Gowen, Sole Executor, vs. Pfaff in Error, Laura B. Bush, Administratrix,

Ordered by the Court that this cause be, and the same is hereby,

(passed.)

George W. Childs Drexel et al., Executors &c.,
117. vs. Pltffs in Error,
The United States.

On motion of Mr. Clayton E. Craig in behalf of counsel for the plaintiffs in error, it is ordered by the Court that this mandate, and the same is hereby, passed.

Oliver C. Bosbyshell,
58. vs. Pltff in Error,
The United States.

Lewis Pierce et al., Trustees,
19. vs. Pltffs in Error,
The Somerset Railway Co.

The argument of these cases was continued by Mr A. D. Stewart, of counsel for the plaintiffs in error, and Mr. E. F. Webb and Mr. J. A. Drummond, of counsel for the defendants in error, and concluded by Mr. A. D. Stewart, of counsel for the plaintiffs in error.

Lewis Pierce et al., Trustees,
13. vs. Pltffs in Error,
John Ayer et al.

The City of Walla Walla et al.,
23. vs. Appellants,
The Walla Walla Water Co.

The argument of this cause was commenced by Mr. A. N. Sanford, of counsel for the appellants, and continued by Mr. John A. Mitchell, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday October 13th 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer,
Henry B. Brown, Associate
George Shiras, Jr., Justices
Edward D. White
Rufus W. Peckham
Joseph McKenna.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Leigh Robinson it is ordered that Louis Hasbrouck, Esquire, of Ogdensburg, State of New York, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Ex parte In the matter of Thomas King, Petitioner. Mr. W. S. Pendleton, of Counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.

Ex parte In the matter of George R. Nichols, Petitioner. No. Original.

On motion of Mr. Henry S. Robbins, of counsel for the petitioner, and consent of Mr. Solicitor General Richards in open Court, It is ordered by the Court that leave be, and the same is hereby, granted to file a petition for a writ of Habeas Corpus, and that pending the hearing the petitioner be released on bail in the sum of one thousand dollars to be taken by the Clerk of this Court.

Ex parte In the matter of George R. Nichols, Petitioner. No. Original.

On consideration of the petition of George R. Nichols, It is now here ordered by the Court that cause be shown by John Imes Marshal of the United States for the Northern District of Illinois, before this Court, at the City of Washington, within five days from this day, or as soon thereafter as counsel can be heard, why said petition should not be granted.

per Mr. Chief Justice Fuller.

The City of Walla Walla et al., Appellants, vs. The Walla Walla Water Co. No. 98.

The argument of this cause was continued by Mr. J. H. Mitchell, of counsel for the appellee, and concluded by Mr. A. H. Garland, of counsel for the appellants.

35. William Naeglin et al., Appellants, vs. Dolorilas Martin de Cordoba et al.

This cause was argued by Mr. Henry Spalding, of Counsel for the appellants. No counsel appeared for the appellees

36. Southern Railway Co., Appellant, vs. Carnegie Steel Co., Limited.

The argument of this cause was commenced by Mr Henry Crawford, of Counsel for the appellant, and continued by Mr. Nicholas P. Bond, and Mr. David Willcox, of Counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, October 11th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. T. Michener it is ordered that Darius L. V. Moffitt, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. J. Phelps it is ordered that Albert R. Ellis, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Francis J. Gowen, Sole Receiver of The Choctaw Coal & Railway Company, Plff in Error,
vs.
142. Laura B. Bush, Administratrix of William N. Bush, deceased.

In Error to the United States Circuit Court of Appeals for the Eighth Circuit

Happearing to the Court that a stipulation of Counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with cost.

(per Mr. Chief Justice Fuller.)

Engelbert Meyer,
vs. Plff in Error,
118. The City of Richmond et al

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. R. Pollard, of Counsel for the plaintiff in error, and Mr. M. M. Wickham, of Counsel for the defendants in error.

Southern Railway Co.,
vs. Appellant,
39. Carnegie Steel Co, Limited.

The argument of this cause was continued by Mr. David Millerx, of Counsel for the appellee, and concluded by Mr. E. J. Phelps, of

110. The United States, Appellant, vs. The City of Albuquerque. This cause was argued by Mr. Matt G. Reynolds, of counsel for the appellant, and Mr. Frank W. Clancy, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 17th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Arthur T. Brisen it is ordered that Henry C. Breading, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that George C. Hazelton, Jr. Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Mr. H. P. S. Curtis it is ordered that Henry A. King, Esquire, of Springfield, State of Massachusetts, and C. V. Ferguson, Esquire, of Wichita, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that James Gallagher, Esquire, of Fresno, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that R. H. Lloyd, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that Henry Crofut White, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

36. The California National Bank of San Francisco, Plff in Error; vs. Richard P. Thomas; In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of

California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Justice Brown.)

37. The California National Bank of San Francisco and John Chetwood &c., vs. Plffs in Error, Thomas K. Stabler, S. P. Young, Richard P. Thomas et al. — In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Justice Brown.)

10. The American Sugar Refining Company, vs. Appellant, The Steamship E. K. Dock, her engines &c., William N. Saville, Claimant. — On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the

Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Gray.

5. The Franklin Sugar Refining Company, Appellant, v. The Steamship "Silvia," her engines, &c., The Red Cross Line, Claimant. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Gray.

James A. Briggs, Executor of Charles M. Briggs, deceased,
vs. Plff in Error,
Amanda M. Waldo and Ohio Valley Banking & Trust Co, Administrator of the estate of A. L. Sholwell, deceased.

960. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Gray.

The Chief Justice announced that until further notice during the sessions of the Court a recess would be taken from 2 to 2.30 P. M., and that the Court would adjourn each day at 4.30 P.M.

The United States,
vs. Appellant
The City of Albuquerque.

110. Appeal from the Court of Private Land Claims.

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims,

whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same are hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Private Land Claims to proceed therein in the matter of amendments, new parties, or otherwise, as justice and equity may require.

Per Mr. Chief Justice Fuller.

94. O. D. Hubbard, Assignee of The Union Loan & Trust Company, Appellant, v. J. Kennedy Tod et al. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Iowa.

Per Mr. Chief Justice Fuller.

734. Lindsay & Phelps Company, vs. Ptff in Error, John H. Mullin et al. On consideration of the motion to advance this cause, and of the argument of counsel thereupon had, as urged in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

764. The City of Richmond, vs. Petitioner, The Southern Bell Telephone and Telegraph Company. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

291. The Telluride Power Transmission Company et al., vs. Appellants in Error, The Rio Grande Western Railway Co. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be postponed until the hearing of the cause on its merits.

(Per Mr. Chief Justice Fuller.)

301. Edward Clifford, vs. Appellant, William Hiller, Sheriff. On consideration of the motion to advance this cause, It is now here ordered by the Court

that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, the 31st instant.

(Per Mr. Chief Justice Fuller.)

306. The Houston & Texas Central R.R. Co., et al., vs. Plffs in Error, The State of Texas.

307. The Galveston, Harrisburg & San Antonio Railway Co., et al., vs. Plffs in Error, The State of Texas.

On consideration of the motions to advance these cases,

It is now here ordered by the Court that said motions be, and the same are hereby, denied.

(Per Mr. Chief Justice Fuller.)

311. Kate McDonnell, surviving partner &c, et al., vs. Petitioners, The Mercantile Trust Co., et al.

On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

312. Ellis H. Roberts, Treasurer of the United States, Petitioner vs. The United States ex rel. Marie A. Valentine. On a petition for a writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court, that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

380. Mutual Reserve Fund Life Association, Petitioner, vs. J. K. DuBois, Administrator &c. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

331. Wales-Pierce Oil Co. vs. Hogin Bros. The State of Texas. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

337. The Third National Bank of Philadelphia, Petitioner, vs. The National Bank of Chester Valley. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is, hereby, denied.

(Per Mr. Chief Justice Fuller.)

353. The State of Ohio, Appellant, vs. J. B. Thomas. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 9th, 1893.

391. Fred. J. Kiesel & Company, Petitioner, vs. The Sun Insurance Office of London. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari, to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support thereof as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

402. S. N. N. Clark et al., Receivers, Plffs in Error, vs. The City of Kansas City, Kansas. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, December 5th next.

Per Mr. Chief Justice Fuller.

410. John B. Russell, Petitioner, vs. Frederick Stearns & Co. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of

of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

(per Mr. Chief Justice Fuller.

1113. Oscar M. Springer, vs. Anders Jakobson, Claimant. Petitioner, On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(per Mr. Chief Justice Fuller.

320. Johns Hopkins University, vs. The Baltimore & Ohio Railroad Co., et al. Appellant. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 9th, 1899, after the cases heretofore assigned for that day.

(per Mr. Chief Justice Fuller.

1116. Jesse L. Mac Daniel
v. Petitioner,
The United States.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1111. Katie McK. Irvine,
v. Appellant,
The United States.

Mr. Solicitor General Richards, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Court of Private Land Claims.
United States of America } ss.
Territory of New Mexico }

I, James H. Reeder, Clerk of the Court of Private Land Claims, do hereby certify that in a certain cause pending in said Court, the same being number twelve (12) on the docket of said Court, the same being for the confirmation of what is known as the Jose Duran grant, wherein Katie McK. Irvine was plaintiff and the United States of America was defendant a final decree was entered by said Court of Private Land Claims in favor of

said defendant and against said complainant, on the 17th day of March, A.D. 1893, and that on the 17th day of March A.D. 1893, said complainant prayed an appeal to the Supreme Court of the United States, which was on said last named day allowed.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court of Private Land Claims, this 6th day of October, A.D. 1898.

(Seal)

James H. Reeder
Clerk of the Court of Private Land Claims.
By Ireneo L. Chaves
Deputy Clerk of the Court of Private Land Claims.

moved the Court to docket and dismiss this appeal, pursuant to the 9th rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged, and decreed by this Court that this appeal from the Court of Private Land Claims be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Court of Private Land Claims to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

1117. Jacob Gold et al., Appellants, vs. The United States and The City of Santa Fe.

Mr. Solicitor General Richards, of Counsel for the appellees, having filed in open Court the following certificate to wit:

Court of Private Land Claims.
United States of America } ss.
Territory of New Mexico }

I, James A. Reeder, Clerk of the Court of Private Land Claims, do hereby certify that in a certain cause pending in said Court, the same being number One hundred and Sixteen (116) on the docket of said Court, the same being for the confirmation of what is known as the Talaya grant, wherein Jacob Gold, Rosalia Madrid, and her husband, Juan Garcia, Jesus Ortiz, Hilario Lucero, Encarnacion Martinez, and her husband Cayetano Gonzales, Valentina Martinez, and her husband, Juan Jose Lujan, Epifacia Martinez, and her husband, Ignacio Martinez, Juliana Martinez, and her husband, Apolonio Lujan, Manuel Rodriguez, Dolores Martinez, Candelario Martinez, Cornelita Martinez, and her husband Benito Borrego, were plaintiffs and The United States of America and the City of Santa Fe were defendants, a final decision was rendered by the said Court of Private Land Claims on the 28th day of April,

against the said complainants and a final decree was rendered pursuant to said decision in behalf of said defendants and against said complainants on the 31st day of May, A.D. 1895, and that on the 26th day of March, A.D. 1895 said complainants prayed an appeal to the Supreme Court of the United States, which was on said day last named allowed.)

(In testimony whereof, I have hereunto set my hand and affixed the seal of said Court of Private Land Claims, this 6th day of October, A.D. 1898.

(Seal)

James A. Reeder,
Clerk of the Court of Private Land Claims.
By Ireneo L. Chaves,
Deputy Clerk of the Court of Private Land Claims.

Moved the Court to docket and dismiss this appeal, pursuant to the 9th rule; and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Court of Private Land Claims be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Court of Private Land Claims to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

370. Samuel Castner, Jr. et al., vs. Petitioners
W. A. Coffman, doing business as Pocahontas Coke Coal Co. vs.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Arthur V. Briesen and Mr. Henry E. Brending, in support of the same, and Mr. A. G. Safford, in opposition thereto.

3116. The City of Ulliea, Harper County, Kansas, vs. Petitioner,
The Springfield Safe Deposit & Trust Company.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. T. S. Curtis and Mr. C. U. Ferguson, in support of the same, and Mr. Henry A. King, in opposition thereto.

217. Michael Jeske et al., vs. Plffs in Error,
Nellie L. Cox et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed argument by Mr. Howard Morris, in support of the same.

377. The Kittanning Coal Co., vs. Appellant,
J. L. Zabriskie & Rebecca Lyles,

The motion to advance this cause was submitted to the considera

printed arguments by Mr. John B. Hill, in support of the same, and Mr. Henry Crofut White, in opposition thereto.

417. A. J. Daggs and R. E. Daggs, vs. Appellants, The Phoenix National Bank. The motion to vacate the supersedeas herein or for additional security and that the amount of supersedeas bond be increased to the sum of $10,000 was submitted to the consideration of the Court on printed arguments by Mr. A. S. Britton and Mr. A. B. Browne, in support of the same, and Mr. A. J. Edwards, in opposition thereto.

243. The United States, vs. Appellant, Antonio Serafin Peraldal. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. L. Bartlett, in support of the same, and Mr. Solicitor General Richards and Mr. Matt G. Reynolds, in opposition thereto.

189. La Abra Silver Mining Co., vs. Appellant, The United States. On motion of Mr. J. M. Wilson, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, November 14th next.

1, Original. The State of New Jersey, Complainant, vs. The State of Delaware. On motion of Mr. George H. Bates, of Counsel for the defendant, It is ordered by the Court that this cause be, and the same is hereby, passed

219. The Pullman Club of Chicago, vs. Iliff in Error, John H. Clingan. In Error to the Supreme Court of the State of Indiana

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, each party to pay its own costs.

Per Mr. Chief Justice Fuller

111. J. R. Hankinson, Sheriff &c., vs. A. J. Wadley. Appellant, This cause was argued by Mr. A. J. Montague, of Counsel for the appellant, and Mr. F. S. Blair, of Counsel for the appellee.

Monday, October 17th, 1898, Continued.

The Washington Gas Light Company et al., Plffs in Error, vs. Thomas F. Lansden, Deft in Error. 143.

Rearguments of this cause was commenced by Mr. R. Ross Perry, of Counsel for the plaintiffs in error, and continued by Mr. J. J. Darlington, of Counsel for the defendant in Error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, October 18th, 1898.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened,

415. John Anderson,
v. Appellant,
Morgan Treat, U.S. Marshal.

On motion of Mr. J. G. Bigelow, leave is here by granted Mr. P. J. Thorne and Mr. C. H. L. Miller to appear and file Brief in this cause,

415. John Anderson,
v. Appellant,
Morgan Treat, U.S. Marshal.

The motion to dismiss in this cause, was submitted to the consideration of the Court on the record and Printed arguments by Mr. Solicitor General Richards, in support of the same, and Mr. J. G. Bigelow, Mr. P.

463. The Washington Gaslight Company et al., vs. Plffs in Error, Thomas F. Lansden. The argument of this Cause was continued by Mr. J. J. Darlington of Counsel for the defendant in error, and concluded by Mr. Wallen D. Davidge, of Counsel for the plaintiffs in error.

465. Jacob Sonnenthiel, vs. Plff in Error, The Christian Moerlein Brewing Co, et al. The argument of this Cause was commenced by Mr. J. H. Willis, of Counsel for the plaintiff in error, and continued by Mr. F. Charles Hume, of Counsel for the defendants in error.

Proclamation being made, the Court is adjourned, until tomorrow at twelve o'clock.

Wednesday, October 19th 1898

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is observed.

On motion first made to the Court in this behalf by Mr. Thornton M. Hinkle it is ordered that Francis F. Oltham, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

115 Jacob Sonnenthiel, Plff in Error
v.
The Christian Moerlein Brewing Co., et al

The argument of this cause was continued by Mr. F. Charles Hume, of Counsel for the defendants in error, and concluded by Mr. J. M. Wilson, of Counsel for the plaintiff in error.

116. Aaron H. Zeekendorf et al., vs. Louis Zeekendorf, Guardian &c., Appellants, This cause was argued by Mr. Duane E. Fox, of Counsel for the appellants, and Mr. E. M. Marble, of Counsel for the appellee.

51. James E. Simpson, Jr., et al., Surviving Partners &c., vs. The United States, Appellants, The argument of this cause was commenced by Mr. James H. Hayden, of Counsel for the appellants, and continued by Mr. George A. Gorman, of Counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John W. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

James E. Simpson Jr., Val., Surviving Partners &c, v. Appellants,
51. The United States.

Argument of this cause was continued by Mr. George A. Gorman, of Counsel for the appellee, and concluded by Mr. James A. Hayden, of Counsel for the appellants.

The United States, v. Appellant.
53. Mary A. Wardwell, Admrx.

This cause was argued by Mr. George A. Gorman, of Counsel for the appellant, and Mr. George A. King, of Counsel for the appellee,

54. F. B. Merrill, Receiver &c., Appellant, vs. The National Bank of Jacksonville.

55. F. B. Merrill, Receiver &c., Appellant, vs. The National Bank of Jacksonville.

The argument of these cases was commenced by Mr. Edward Winslow Paige, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 21st, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
} Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

Ezeneau Fuller, Administratrix of Abigail Rebecca Fuller,
vs. Petitioner,
Marshall Field et al.

Miss Ezeneau Fuller submitted to the consideration of the Court a motion for leave to prosecute the petition for a writ of certiorari herein, in forma pauperis.

54. T. B. Merrill, Receiver &c.,
vs. Appellant,
The National Bank of Jacksonville.

55. T. B. Merrill, Receiver &c.,
vs. Appellant.

The argument of these causes was continued by Mr. Edward Winslow Paige, of counsel for

Mr. William Worthington, of counsel for the appellee, and concluded by Mr. Francis T. Oldham, of counsel for the appellant.

211. The Northern Pacific Railway Company, Appellant, vs. William V. Myers, Treasurer.

The argument of this cause was commenced by Mr. C. C. Dunn, of counsel for the appellant, continued by Mr. C. B. Nolan of counsel for the appellee, and concluded by Mr. A. B. Browne, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 24th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna,
Associate Justices.

John G. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. L. A. Pradt it is ordered that Hardwell P. Heath, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Albert H. Horton, Esquire, of Topeka, State of Kansas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

by Mr. S. D. Truitt it is ordered that Alexander A. Simmons, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Northwestern National Bank, The Riordan Mercantile Co. and The Arizona Lumber & Timber Company, Appellants,
vs.
B. N. Freeman, F. L. Kimball and J. N. Hoskins, copartners as The Arizona Central Bank, and John Doies

18. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the Territory of Arizona.

Per Mr. Justice McKenna.

210. Henry Hopkins et al., Appellants, v. The United States. On writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the Circuit Court of the United States for the District of Kansas in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Kansas, First Division, with directions to dismiss the bill with costs.

Per Mr. Justice Peckham.

Dissenting:
Mr. Justice Harlan.

(Mr. Justice McKenna took no part in the decision of this case.)

181. J. C. Anderson and others, Appellants, v. The United States. On writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now

that the decree of the Circuit Court of the United States for the Western District of Missouri in this cause be, and the same is hereby, reversed; and, that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Missouri, Western Division, with directions to dismiss the complainants' bill with costs.

(Per Mr. Justice Peckham.)

Dissenting;

Mr. Justice Harlan.

(Mr. Justice McKenna took no part in the decision of this case.)

84. The United States, Appellant, v. The Joint Traffic Association et al.) Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decrees of the Circuit Court of the United States for the Southern District of New York and of the United States Circuit Court of Appeals for the Second Circuit in this cause be, and the same are hereby, reversed; And that this cause be, and the same is hereby, remanded to the said

proceedings therein as may be in conformity with the opinion of this Court.

(Per Mr. Justice Peckham,

Dissenting:
Mr. Justice Gray,
Mr. Justice Shiras,
Mr. Justice White.

(Mr. Justice McKenna took no part in the decision of this case.)

949. Cyrus A. Brown, Plff in Error, vs. The United States. In Error to the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and on a motion to dismiss which was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Justice Shiras.

950. George Curley, alias George Cully, Plff in Error, vs. The United States. In Error to the United States Court in the Indian Territory.

This cause came on to be heard on the transcript,

Indian Territory, and on a motion to dismiss, which was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Shiras.

William Naeglin, Annie Naeglin, Annie Naeglin, Administratrix of Henry Korle, deceased, et al., Appellants, vs. Dolorita de Martin de Cordoba, Jose Manuel Cordoba, Josefita Martin de Duran et al. Appeal from the Supreme Court of the Territory of New Mexico.

35.

This Cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this Cause &c, and the same is hereby affirmed with costs.

Per Mr. Justice Brewer.

Ex parte In the matter of Thomas King, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that

148. Owensboro National Bank, Pff in Error, vs. City of Owensboro et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

149. Deposit Bank of Owens..., Pff in Error, vs. City of Owensboro et al.
150. Deposit Bank of Owensboro, Pff in Error, vs. Daviess County et al.
151. Farmers & Traders Bank of Owensboro, Pff in Error, vs. City of Owensboro et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court that these cases be advanced to be heard with Case No. 148, when reached in regular call, as one case.

Per Mr. Chief Justice Fuller.

356. S. H. Stone, Auditor, etal, Appts, vs. The President &c. of The Bank of Kentucky.
357. City of Louisville, Appt, vs. The President &c. of The Bank of Kentucky.
358. S. H. Stone Auditor, etal, Appts, vs. The Bank of Louisville.
359. City of Louisville, Appt, vs. Bank of Louisville.
360. S. H. Stone, Auditor, etal, Appts, vs. The Louisville Banking Co.
361. City of Louisville, Appt, vs. The Louisville Banking Co.
362. S. H. Stone, Auditor, etal, Appts, vs. The Bank of Commerce.
363. City of Louisville, Appt, vs. Bank of Commerce.
364. City of Louisville, Appt, vs. The Third National Bank.
365. City of Louisville, Appt, vs. The Citizens National Bank.
385. S. H. Stone, Auditor, etal, Appts, vs. The Farmers Bank of Kentucky.
386. The Farmers Bank of Kentucky, Appt, vs. S. H. Stone, Auditor, etal.
387. S. H. Stone, Auditor, etal, Appts, vs. The Deposit Bank of Frankfort.

Monday, October 24th, 1898. Continued.

1105. The Citizens National Bank of Louisville, App't, vs. S. H. Stone, Auditor, etal.
1106. The Fidelity Trust & Safety Vault Co., App't, vs. The City of Louisville
1107. The Fidelity Trust & Safety Vault Co., App't, vs. S. H. Stone, Auditor, etal.
1108. The Louisville Trust Co., App't, vs. The City of Louisville.
1109. The Louisville Trust Co., App't, vs. S. H. Stone, Auditor, etal.

On consideration of the motion to advance these cases, It is now here ordered by the Court, that said motion &c, and the same is hereby granted, and the cases assigned for argument, as one case, after case No. 1118; two days time allowed for the argument; and that the municipalities concerned be allowed to open and close the argument.

Per Mr. Chief Justice Fuller

426. Henry Sanders, Petitioner vs. The United States. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1127. Louis Gallot, Petitioner vs. The United States. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the arguiment of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

430. Mast, Foos & Company, Petitioners, vs. Stover Manufacturing Company. On petition for a writ of Certiorari, to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of Certiorari, herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the arguiment of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

293. The United States, Appellant, vs. Antonio Serafin Pena et al. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be postponed until the hearing on the merits.

Per Mr. Chief Justice Fuller.

The City of Ulliea, Harper County, Kansas, Petitioner,
vs.
The Springfield Safe Deposit & Trust Company.

On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

316.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

Samuel Eastney Jr., et al., Petitioners,
vs.
W. H. Coffman, doing business as Pocahontas Coke & Coal Co. et al.

On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

317.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(per Mr. Chief Justice Fuller.)

377. The Hillsming Coal Company vs. Appellant, J. L. Zubinski & Rulof Lyles, Executors &c. On consideration of the motion to advance this cause, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby denied.

(per Mr. Chief Justice Fuller

412. A. J. Daggs and R. E. Daggs, vs. Appellants, The Phoenix National Bank. On consideration of the motion to vacate the supersedeas or for further security herein, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby denied.

(per Mr. Chief Justice Fuller

1115. John Anderson, vs. Appellant, Morgan Trent, U.S. Marshal &c. It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, November 7th next, and that the consideration of the motion to dismiss be postponed until then. Leave is hereby granted Mr. S. J. Morris and Mr. W. G. Miller to argue this cause on behalf of the appellant. The Courts below will enter the proper orders for

7. Daniel Wiley, Pl'ff in Error, vs. D. L. Sinclair et al. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for oral argument.

Per Mr. Chief Justice Fuller.

217. Michael Jeske et al., Pl'ffs in Error, vs. Nellie L. Cox et al. In Error to the Superior Court of Milwaukee County, State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Superior Court of Milwaukee County, State of Wisconsin, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

336. The City of New Orleans, Appellant, vs. John G. Haaner. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here or-

this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Chief Justice Fuller.)

(Mr. Justice White took no part in the consideration and decision of this case.)

Aaron Hugo Zeckendorf and Melenita Zeckendorf,
116. vs. Appellants,
Louis Zeckendorf, guardian of the persons and estates of Aaron Hugo Zeckendorf and Melenita Zeckendorf, formerly minors.

Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by Counsel. On consideration whereof, It is now hereby ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Chief Justice Fuller.)

Ex parte In the matter of George R. Nichols,
14, Original. Petitioner
James Nicol,
135. vs. Appellant.
John Ames, U.S. Marshal.

Mr. Solicitor General, Richards submitted to the consideration of the Court a motion to assign these cases for argument on Monday, December

1113. The Knights Templars and Masons Life Indemnity Co., vs. Petitioner, (Carrie E. Converse.)

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles A. Aldrich, in support of the same, and Mr. James A. Hopkins, in opposition thereto.

1118. P. Lorillard Company, vs. Petitioner, (Christian Peper.)

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederic D. McKenney and Mr. M. B. Philip, in support of the same, and Mr. Smith P. Gale, in opposition thereto.

44 H. The United States ex rel. Alfred L. Bernadin, vs. (Def. in Error.) Charles H. Duell, Commissioner of Patents.

Mr. J. C. Dowell, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

281. Francis C. Watson vs. (Def. in Error.) The State of Rhode Island.

Mr. A. F. Nash, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to dros-

1131. Charles Hinelon, Petitioner, vs. The United States. The petition for a writ of Certiorari herein was submitted to the consideration of the Court by Mr. George Kearney, in support of the same.

1132. William M. Slyther, Petitioner, vs. The United States. The petition for a writ of Certiorari herein was submitted to the consideration of the Court by Mr. Samuel D. Truitt and Mr. Tracy L. Jeffords in support of the same.

1133. Edward Smith, Petitioner, vs. The United States. The petition for a writ of Certiorari herein was submitted to the consideration of the Court by Mr. Chapin Brown, in support of the same.

354. The Farmers Loan & Trust Co., Plff in Error, vs. The Lake Street Elevated Railroad Company et al. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. C. A. Knight, Mr. T. A. Moran, and Mr. Leon Mazet, in support of the same, and Mr. Herbert B. Turner, Mr. William Burry, and Mr. John J. Herrick, in opposition thereto. Leave was granted counsel for defendants in error to file a brief in reply within

The Continental National Bank of New York City
vs. Petitioner,
119. Mary Inness Neilman et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. John L. Cadwalader and Mr. Addison C. Harris, in support of the same, and Mr. C. C. Smith, Mr. John F. Duncan, Mr. Alexander Gilchrist, and Mr. C. A. DeBuck, in opposition thereto.

The United States et al.,
vs. Appellants,
766. Samuel W. Hood.

On motion of Mr. Assistant Attorney General Thompson leave is hereby granted counsel for appellants to file an additional brief herein within ten days and to counsel for the appellee to file a reply thereto.

The United States et al.,
vs. Appellants,
766. Samuel W. Hood.

The argument of this cause was commenced by Mr. Assistant Attorney General Thompson, of counsel for the appellants, and continued by Mr. Silas Hare and Mr. William B. King, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 25th, 1898.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. Ross Perry it is ordered that Alexander Wolf, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles S. Greene it is ordered that Thomas P. Carey, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

96. The United States et al, Appellants, v. Samuel W. Reed. The argument of this cause was concluded by Mr. Assistant Attorney General Thompson, of counsel for the appellants.

50. J. Henry Jurgens, Sheriff &c., Appellant, v. Yet Sang. This cause was argued by Mr. C. B. Nolan, of counsel for the appellant, and Mr. A. C. Bodkin, of counsel for the appellee.

106. The Territory of New Mexico, Appellant v. The United States Trust Co. of N.Y. et al.

169. The Territory of New Mexico, Appellant, v. The United States Trust Co., of N.Y. et al.

170. The Territory of New Mexico, Appellant, v. The United States Trust Co., of N.Y. et al.

The argument of these cases was commenced by Mr. Frank H. Clancy, of counsel for the appellant, and continued by Mr. Victor Moraetz and Mr. C. N. Sterry, of counsel for the appellees.

65. Henry R. V. Allen v. Allen in Error, Charles F. Allen et al. On motion of Mr. E. B. Holladay, of counsel for the plaintiff in error, It is ordered by the Court that this cause be heard subject to the provisions of section 9 of Rule 16.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 26th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Esq.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. Calderon Carlisle, it is ordered that Joseph H. Hayes, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The Territory of New Mexico,
vs. Appellant.
106. The United States Trust Co. of N.Y. et al.

The Territory of New Mexico,
vs. Appellant.
164. The United States Trust Co. of N.Y. et al.

The Territory of New Mexico,
vs. Appellant,
170.

The argument of these Cases was concluded by Mr. Frank W. Kinney, of Counsel for the Appellants, and leave was granted him to file an

herein on or before the 31st instant.

130. William C. Pitts, Attorney General, et al., vs. Appellants, Charles M. McGhee & Henry Pirtle, Receivers &c. This cause was argued by Mr. W. J. Wood, of Counsel for the appellants, and Mr. Millan Humes, of Counsel for the appellees. And leave was granted Counsel for appellees to file an additional Brief, within five days and to Counsel for appellants to file a Reply thereto.

149. M. P. Morris et al., vs. Appellants, The United States. The argument of this cause was commenced by Mr. A. Hoe Knott, of Counsel for the heirs of James Markham Marshall.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 27th. 1898.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
} Associate Justices

John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. M. P. Morris et al., vs. The United States. Appellants,

The argument of this cause was continued by Mr. A. Leo Knott, of counsel for the heirs of James Markham Marshall; Mr. John Howard, of counsel for the heirs of John Marshall; Mr. Holmes Conrad, of counsel for the United States. Mr. John Howard, of counsel for the heirs of John Marshall, and Mr. A. Leo Knott, of counsel for the heirs of James Markham Marshall.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, October 28th 1898.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Henry B. Brown
George Shiras Jr.
Edward D. White,
Rufus W. Peckham.
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John G. Elliott it is ordered that John M. Cameron, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

418. P. Lorillard Company, Petitioner, vs. Christian Peper. On motion of Mr. Frederic D. McKenney, of counsel for the petitioner, leave is hereby granted him to file a supplemental brief herein.

19. M. F. Morris et al., Appellants, vs. The United States. The argument of this cause was continued by Mr. George E. Hamilton, of counsel for the

H. T. Taggart, of counsel for, The United States; and Mr. Nathaniel Wilson, of counsel for the parties claiming under the Kidwell Patent.

Proclamation being made the Court is adjourned, until Monday next at twelve o'clock M.

Monday, October 31st, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edwin B. Hay it is ordered that Richard L. Sweezy, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. A. Pradt it is ordered that Horace Kent Tenney, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf

A. Pitts, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

12. Lewis Pierce, Norbert Mc. Neal and Franklin M. Drew, Trustees, vs. Pitts in Error, The Somerset Railway. } In Error to the Supreme Judicial Court of the State of Maine.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Maine, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Woodbury.

13. Lewis Pierce, Norbert M. Neal and Franklin M. Drew, Trustees and Mortgagees, vs. Pitts in Error, John Ayer, William M. Ayer, A. R. Small et al. } In Error to the Supreme Judicial Court of the State of Maine.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Maine, and was argued by Counsel.

and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Peckham.

The People of the State of New York ex rel. Parke Davis & Company, Plffs in Error, vs. James A. Roberts, Comptroller of the State of New York. } In Error to the Supreme Court of the State of New York.

91.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras

(Mr. Justice White was not present at the argument and took no part in the decision of this case.)

Dissenting:

Mr. Justice Harlan and

Mr. Justice Brown.

The St. Louis Mining and Milling Company of Montana and Charles Mayger, vs. Plffs in Error
305. The Montana Mining Company Limited.

In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is, hereby, affirmed with costs.

(Per Mr. Chief Justice Fuller.)

The United States, Appellant,
5 of Oct. T. 1897. vs.
Earl B. Coe.)

It is ordered by the Court that the petition for rehearing be filed, and leave is given to Counsel of parties to the record to file such additional briefs within thirty days as they may be advised.

(Per Mr Chief Justice Fuller.

Ezekiel Fuller, Administratrix of Abigail Rebecca Fuller,
vs. Petitioner,
Marshall Field, et al.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of,
George R. Nichols,
11, Original. Petitioner.

On consideration of the motion to assign these cases for argument, &c., now here ordered by the Court that these cases be, and

James Nicol,
1035. vs. Appellant,
John Ames, U.S. Marshal &c.

they are hereby, assigned for argument, as one case, on Monday, December 19th next, after the case heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Francis C. Watson,
281. vs. Plff in Error,
The State of Rhode Island.

On consideration of the motion for leave to prosecute this cause in forma pauperis,

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

1118. P. Lorillard Company, Petitioner vs. Christian Peper. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1119. The Continental National Bank of New York City, Petitioner, vs. Mary Inness Hellman et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1131. Charles Hinston, Petitioner
v.
The United States.

On a petition for a writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

1132. William M. Strather, Petitioner
v.
The United States.

On a petition for a writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

1133. Edward Smith, Petitioner
v.
The United States.

On a petition for a writ of Certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of Certiorari herein to the Court of Appeals of the District of Columbia,

It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

1131. Charles Winston, Petitioner, vs. The United States.
1132. William M. Strather, Petitioner, vs. The United States.
1133. Edward Smith, Petitioner, vs. The United States.

It is ordered by the Court that these cases be, and they are hereby, advanced and assigned for argument, as one case, on Monday, November 28th next.

Per Mr. Chief Justice Fuller.

218. Robert Dunlap, Appellant, vs. The United States.
189. La Abra Silver Mining Co., Appt vs. The United States.

It is ordered by the Court that these cases be, and they are hereby, reassigned for argument on Monday, November 28th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

1143. The Knights Templars and Masons Life Indemnity Company, Petitioners, vs. Carrie E. Converse.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon heard, as well in

ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The United States ex rel. Alfred L. Bernadin, Plaintiff in Error, v. Charles H. Duell, Commissioner of Patents. No. 1111

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, November 28th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

J. Henry Jurgens, Sheriff of Lewis & Clark County, Montana, Appellant, v. Hot Sing. No. 1112

Appeal from the District Court of the United States for the District of Montana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Montana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with a direction to discharge the writ and dismiss

1163. Nelson Morris et al., Petitioners, vs. Robert B. Stewart et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles A. Aldrich, in support of the same, and Mr. Samuel P. McConnell, Mr. H. M. Pollard, and Mr. Horace Kent Tenney, in opposition thereto.

1118. Warren A. Spurr, Petitioner, vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Albert A. Horton and Mr. B. F. Haggerty, in support of the same, and Mr. Solicitor General Richards, in opposition thereto.

Ex parte In the matter of Emma S. Fitzpatrick and another, Petitioners. Mr. Roger M. Sherman, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

1100. Eugenia A. Webster Ross, Plff. in Error, vs. George Gordon King et al. The motions to dismiss or affirm in this cause were

consideration of the Court on the record and printed arguments by Mr. R. L. Sweezy, Mr. John A. Glover, and Mr. Stephen M. Wu, in support of the same, and Mr. A. J. May and Mr. J. M. Wilson, in opposition thereto.

304. Edward Clifford, vs. William Heller, Sheriff &c. Appellant. On motion of Mr. J. S. Erwin, of Counsel for the appellee, this ordered by the Court, that this cause be, and the same is hereby, re-assigned for argument at the head of the Call for Monday, November 7th, next.

114. M. F. Morris et al., vs. The United States. Appellants. Reargument of this cause was continued by Mr. Nathaniel Wilson, of Counsel for the parties claiming under the Kidwell Patent; Mr. Hugh L. Bond, Jr., of Counsel for the Chesapeake & Ohio Canal Company; Mr. A. Randall Webb, of Counsel for the trustees of the estate of William Easby; Mr. J. Holdsworth Gordon, of Counsel for William L. Dunlop and the heirs of George Peter, and Mr. Holmes Conrad, of Counsel for the United States. Leave was granted Mr. W. A. Cook, of Counsel for R. J. Beale et al., to file a printed brief.

Proclamation being made the Court is adjourned

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. 49. M. F. Morris et al., Appellants, v. The United States. On motion of Mr. H. J. Lambert, of Counsel for E. M. Willis et al., leave is hereby granted him to file an additional brief herein, and on motion of Mr. Holmes Conrad leave is granted Counsel for The United States to file a supplemental brief within one week after the close of the argument of this cause.

No. 157. The Farmers Bank of Norborne et al., Plffs in Error, v. John E. Rosette. The motions to dismiss or affirm in this cause were submitted to the Consideration of

by Mr. William D. King and Mr. William E. Harvey, in support of the same, and Mr. Morton Jourdan, in opposition thereto.

No. 149. M. T. Morris et al., Appellants, vs. The United States. The argument of this cause was continued by Mr. Holmes Conrad and Mr. H. T. Taggart, of counsel for The United States; and Mr. John K. Cowen, of counsel for The Chesapeake & Ohio Canal Company.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 2d, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham, } Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that William W. Dodge, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that S. B. Graham, Esquire, of Tazewell, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

M. F. Morris et al., Appellants,
vs.
The United States.

No. 114.

The argument of this cause was continued by Mr. John K. Cowen, of counsel for the Chesapeake & Ohio Canal Company; Mr. A. Randall Webb, of counsel for the trustees of the estate of William Easby; Mr. John Selden, of counsel for the Washington Steamboat Co., Limited, et al.; and Mr. William G. Johnson, of counsel for Johnson, Assignee of American Dock Co. et al.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

179. Mariano S. Otero, Appellant, vs. The United States. On motion of Mr. Frank H. Hackett, in behalf of Counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

189. W. F. Morris et al., Appellants, vs. The United States. The argument of this cause was continued by Mr. William G. Johnson, of Counsel for Johnson, Assignee of American Ice Co. et al., and Mr. A. G. Riggan, of Counsel for The United States.

Proclamation being made the Court is adjourned

Friday, November 11th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
David J. Brewer,
Henry B. Brown,
George Shiras Jr.,
Edward D. White,
Rufus W. Peckham,
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

117. M. F. Morris et al., Appellants, v. The United States. } The argument of this cause was continued by Mr. Holmes Conrad, of Counsel for The United States and Mr. D. A. Lambert and Mr. Calderon Carlisle, of Counsel for Johnson, Assignee of American Tea Co., et al.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. R. Ross Perry it is ordered that A. B. Walker, Esquire, of South McAlester, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. T. Taggart it is ordered that James B. Stubbs, Esquire, of Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte In the Matter of Emma S. Fitzgerald and another, Petitioners. (In consideration of the motion for leave to file a petition for a writ of Mandamus herein)

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Justice Harlan.

(The Chief Justice took no part in the consideration and disposition of this motion.)

The Farmers Loan & Trust Company, vs. Plff in Error,
354. The Lake Street Elevated Rail-road Company et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this case be postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

Marcus A. Spurr, vs. Petitioner,
1118. The United States. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

(In consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said

163. Nelson Morris et al. vs. Robert B. Stewart et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support thereof as against the same, It is now here ordered by this Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The Mayor, Aldermen and Commonalty of the City of New York et al., Appellants, vs. Robert W. Wortman. It is ordered by this Court that this cause be, and the same, is hereby, restored to the docket for reargument.

Per Mr. Chief Justice Fuller.

57. The Farmers' Bank of Norborne v. John McAuliffe, Plff in Error, vs. John E. Roselle. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motions to dismiss or affirm which were argued by counsel. On

and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

1100 Eugenia A. Webster Ross, Plff in Error, vs. George Gordon King, Annie E. King, Georgianna L. King et al. In Error to the Supreme Court of the State of Rhode Island.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Rhode Island, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court will take a recess from Monday, the 14th instant, to Monday, the 28th instant.

1431. The Atlas Steamship Co., Petitioner vs. The Steamship "La Bourgogne" &c. and Claimant

603. Charles B. Wheeler, Petitioner vs.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed

Everett P. Wheeler, of counsel for the petitioner, on the 1131, and Mr. Albert E. Lamb, of counsel for the petitioner in No. 2, in support of the same; and Mr. E. K. Jones and Mr. R. D. Benedict, in opposition thereto.

108. The Capital Traction Co., Pltff. in Error, v. Charles Hof.

On motion of Mr. Alexander Wolf, of counsel for the defendant in error, leave is hereby granted to withdraw the appearance of Mr. D. W. Baker as counsel for the defendant in error.

108. The Capital Traction Co., Pltff. in Error, v. Charles Hof.

The motion to dismiss in this cause, now submitted to the consideration of the Court on the record and printed arguments by Mr. Alexander Wolf, in support of the same, and Mr. R. Ross Perry, in opposition thereto.

352. John F. Kumler, Petitioner, v. William E. Hale.

The petition for a writ of Certiorari herein, was submitted to the consideration of the Court on printed arguments by Mr. O. F. Bumback in support of the same, and Mr. Barton Smith, Mr. R. H. Dicken and Mr. John P. Wilson, in opposition thereto.

184. Peter McCartney and Annie C. McCartney, his wife, Administratrix of the estate of William Fletcher, deceased, vs. Appellants, Susan Fletcher, Charles P. Fletcher, Catharine Laughlin et al. — Appeal from the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. A. S. Worthington, of counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

185. Annie C. McCartney, William P. Fletcher and Mary J. Collier, vs. Appellants, Susan Fletcher, Charles P. Fletcher, Katie C. Fletcher et al. — Appeal from the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. A. S. Worthington, of counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

149.	M. F. Morris et al., Appellants, vs. The United States	On motion of Mr. D. A. Lambert leave is hereby granted him to file a brief herein in behalf of W. M. Eisby Smith, one of the appellants.
11.	The Missouri, Kansas & Texas Railway Co. vs. McCann & Briggs	On motion of Mr. George C. Heard, leave is hereby granted counsel for the defendants in error to file an additional brief herein.
149.	M. F. Morris et al., Appellants, vs. The United States	The argument of this cause was concluded by Mr. Calderon Carlisle, of counsel for Johnson, Assignee of American Sec. Co. et al.
301.	Edward Clifford, Appellant, vs. William Nelles, Sheriff	Ordered by the Court that this cause be, and the same is hereby, passed until Thursday.
215.	The United States, Appellant, vs. The Rio Grande Dam and Irrigation Co. et al.	The argument of this cause was commenced by Mr. Attorney General Griggs, of counsel for the appellant, and continued by Mr. J. H. McGowan, of counsel for the appellees.

Tuesday, November 8th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

(Proclamation being made the Court is opened.)

On motion first made to the Court in this behalf, by Mr. E. H. Spalding it is ordered that Russell Duane, Esquire, of Philadelphia, State of Pennsylvania be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. J. Spalding Flannery it is ordered that George C. Hobbé, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

215. The United States, Appellant, vs. The Rio Grande Dam & Irrigation Co. et al. — Reargument of this cause was concluded by Mr. J. N. McGowan, of counsel for the appellees.

115. John Anderson, Appellant, vs. Morgan Treat, U.S. Marshal. — Reargument of this cause was commenced by Mr. A. G. Mellen, (by special leave), of counsel for the appellant, continued by Mr. William A. Wade, of Counsel for the appellee, and concluded by Mr. S. F. Morse, (by special leave), of counsel for the appellant.

15. Norman Reed, Petitioner, vs. The United States. — Ordered by the Court that this cause be passed temporarily.

56. The United States, Appellant, vs. Daniel Van Slooten, Appellee. — Reargument of this cause was commenced by Mr. Russell Duane, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 7th., 1894.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

56. The United States, Appellant, vs. Daniel Van Schoonhoven. The argument of this cause was concluded by Mr. Russell Duane, of Counsel for the appellee, and the cause was submitted on a printed argument by Mr. Assistant Attorney General Pradt and Mr. George H. Gorman, of Counsel for the appellant.

57. The Home for Incurables, Appellant, vs. Mary Spencer Noble et al.

61. Emeline Colville, Appellant, vs. The American Security & Trust Co.

The argument of these causes was commenced by Mr. George H. Yeaman, of Counsel for The Home.

for Incurables, continued by Mr. Henry C. Carey, of Counsel for the Hospital of the University of Pennsylvania; Mr. Henry Thompson, of Counsel for Emeline Colville.; and Mr. A. Randall Webb and Mr. John Sidney Webb, of Counsel for Mary Spender Noble et al.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, November 10th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

57. The Home for Incurables, Appellant, vs. Mary Spencer Noble et al. — Reargument of these cases was continued by Mr. John Sidney Webb, of counsel for Mary Spencer Noble et al, and concluded by Mr. J. Spalding Flannery, of counsel for The Home for Incurables, and the cases were submitted on a printed argument by Mr. William A. McKenney, of counsel for The American Security & Trust Co.

61. Emeline Colville, Appellant, vs. The American Security & Trust Co.

15. Herman Keck, Plff in Error, vs. — This cause was re-argued by Mr. Francis B. James,

in error, and Mr. James M. Beck, of counsel for the defendant in error.

59. The United States, vs. Jesse Johnson. } Writ of Error

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Boyd, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

60. Charles Clarke et al., vs. The Steamship Ogden. } Petitioners,

The argument of this cause was commenced by Mr. James B. Stubbs, of counsel for the petitioners.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, November 11th., 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened;

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that Robert C. Saudwick, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Carter it is ordered that William T. Ramsey, Esquire, of Coburne, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Mr. William C. White it is ordered that John B. Richards, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

60. Charles Clarke et al., vs. The Steamship Effrida &c. — The argument of this cause was continued by Mr. James B. Stubbs, of counsel for the petitioners, and Mr. J. Parker Kirlin, of counsel for the respondents, and concluded by Mr. James B. Stubbs of counsel for the petitioners.

304. Edward Clifford, vs. William Heller, Sheriff &c. — This cause was argued by Mr. William D. Daly, of counsel for the appellant, and Mr. James S. Erwin, of counsel for the appellee.

62. The Sioux City & Nelier Western Railway Co., vs. The Manhattan Trust Co. — These cases were argued by Mr. Henry J. Taylor, of counsel for the appellants, and Mr. John L. Webster, of counsel for the appellee.

63. The Sioux City & Nelier Western Railway Co. et al., vs. The Manhattan Trust Co.

Proclamation being made the Court is adjourned.

Monday, November 14th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that F. Hayward Fairbanks, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

78. The City of Walla Walla et al., Appellants, vs. The Walla Walla Water Company. Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by counsel. On consideration whereof,

by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brown.)

108. The Capital Traction Co., Plff in Error, v. Charles Hof. — It is ordered by the Court that the further consideration of the motion to dismiss herein be postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

352. John F. Humbert, Petitioner, v. William E. Hale. — On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1131. The Atlas Steamship Company, vs. Petitioner, The Steamship "La Bourgogne" } On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

603. Charles B. Wheeler, vs. Petitioner The Steamship "La Bourgogne" } On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

304. Edward Clifford, Appellant, vs. William Adler, Sheriff of Hudson County, New Jersey. Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

304. Edward Clifford, Appellant, vs. William Adler, Sheriff &c. It is ordered by the Court that the mandate in this cause issue forthwith.

per Mr. Chief Justice Fuller.

266. The United States and The Comanche Indians, Appellants, vs. Samuel W. Hood. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion,

Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

62. The Sioux City, O'Neill & Western Railway Company, Appellant, v. The Manhattan Trust Company. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

63. The Sioux City, O'Neill & Western Railway Company v. E. H. Hubbard, (assignee &c.), Appellant, v. The Manhattan Trust Company.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that the said certificate be, and the same is hereby, dismissed. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller.

415. John Anderson, Appellant, vs. Morgan Treat, United States Marshal for the Eastern District of Virginia. Appeal from the District Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

415. John Anderson, Appellant, vs. Morgan Treat, U.S. Marshal &c. It is ordered by the Court that the mandate in this cause issue forthwith.

Per Mr. Chief Justice Waite.

311. Frederick Hoeninghaus et al., Appellants, vs. The United States. Mr. Solicitor General Richards, of counsel for the appellee, submitted to the Consideration of the Court a motion to advance this cause.

1118. Marcus A. Spurr, Petitioner, vs. The United States. Mr. Solicitor General Richards, of Counsel for the respondent, submitted to the consideration of the Court a motion to advance this Cause.

1611. Joe Kirby, Plff in Error, vs. The United States. Mr. A. J. May, in behalf of Counsel for the plaintiff in error, submitted to the consideration of the Court a suggestion of a diminution of the record and motion for a writ of certiorari, in this Cause.

597. The Michigan Stove Co., Petitioner, vs. The Fuller-Warren Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Ephraim Banning and Mr. Thomas N. Banning, in support of the same, and Mr. Edward P. Vilas and Mr. E. H. Bollum, in opposition thereto.

1133. Edward Smith, Petitioner vs. The United States. On motion of Mr. Chapin Brown, leave is hereby granted Mr. F. S. Key Smith to file a brief herein and make an oral argument.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Knight, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that Leonidas C. Dyer, Esquire, of St. Louis, State of Missouri, and William D. Treadwell, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. K. McCammon it is ordered that Clinton O. Mayer, Esquire, of Philadelphia, State of Pennsylvania, and Adolph G. Wolf, Esquire, of Washington District of Columbia, be admitted to practice as at

sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Dudley it is ordered that Joseph S. Clay, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that John P. Kellam, Esquire, of Malone, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

148. Engelbert Meyer, Pl'ff in Error, vs. The City of Richmond and The Chesapeake & Ohio Railway Co. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice McKenna.)

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Gray.

111. The Green Bay & Mississippi Canal Company, Plff in Error, vs. The Patten Paper Company, Limited, The Union Pulp Company, et al. — In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Shiras.

53. The United States, Appellant, vs. Mary A. Handwell, Administratrix of William V. B. Handwell, deceased. — Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause

8. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, vs. The Board of Public Works of the State of West Virginia. Appellant, Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice Gray.)

Order.

It is now here ordered by the Court that the General Orders and Forms in Bankruptcy this day adopted and established by the Court be, and the same are hereby, promulgated as such.

(per Mr. Justice Gray.)

164. Joe Kirby, vs. The United States. Plff in Error. On consideration of the suggestion of a diminution of the record and motion for a writ of certiorari herein, It is now here ordered by the

is hereby, granted as prayed, all objections to the matters returned being reserved.

Per Mr. Chief Justice Fuller.

311. Frederick Hoeninghaus et al. Appellants, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, January 6th, 1896, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

1118. Marcus A. Spurr, Petitioner, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on Monday, December 9th, next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

597. The Michigan Stove Company, Petitioner, vs. The Fuller-Warren Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari,

for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of the same as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

595. The Lake Street Elevated Railroad Company, Petitioner, vs. William Ziegler et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles A. Aldrich, in support of the same, and Mr. John J. Herrick, in opposition thereto.

59. The United States, Plff in Error, vs. Jesse Johnson.

On motion of Mr. Assistant Attorney General Boyd leave is hereby granted the defendant in error to file a printed brief herein on or before Monday, January 9th, 1899.

1168. Dean Linseed Oil Co., Petitioner, vs. The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. S. B. Clarke and Mr. Elihu Root, in support of the same, and Mr. Solicitor General Richards, in opposition thereto.

The United States ex rel. Alfred L. Bernardin, Plff in Error, vs. Charles H. Duell, Commissioner of Patents. No. 1111.

On motion of Mr. J. M. Wilson leave is hereby granted him to file a print of brief herein on behalf of the assignee of William H. Northall.

Ex parte In the matter of Emma S. Fagnewacher and another, Petitioners. And Ex parte In the matter of Emma S. Fagnewacher and another, Petitioners.

Mr. Roger M. Sherman, of counsel for the petitioners, submitted to the consideration of the Court motions for leave to file petitions for writs of mandamus herein.

The Board of County Commissioners of the County of Lake, Petitioners, vs. Henry H. Bisbee. No. 177.

The Board of County Commissioners of the County of Hunnison, Petitioners, vs. E. N. Rollins & Sons. No. 178.

On motion of Mr. T. D. McKennan in behalf of counsel it is ordered by the Court that these cases be, and they are hereby, advanced and assigned for argument on Monday, December 5th next, after the cases heretofore assigned for that day.

1197. Bessie Bamell, vs. Appellant, Joseph Bamell, The motion for leave to file the intervening petition of George W. Johnston and Thomas A. Sinclair herein was submitted to the consideration of the Court by Mr. F. H. Cluney, in support of the same, and Mr. W. B. Childers, in opposition thereto.

321. The United States et al, Appts, vs. Moses Gillespie.
322. The United States et al, Appts, vs. Emeline Mackey.
323. The United States et al, Appts, vs. Amiel S. Southwood
324. The United States et al, Appts, vs. Robert Carter
325. The United States et al, Appts, vs. Charles H. Hilton
326. The United States et al, Appts, vs. Mary Scroggins.
327. The United States et al, Appts, vs. Fleming E. Jennings
328. The United States et al, Appts, vs. David P. McCracken
329. The United States et al, Appts, vs. Brice Moody.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on a printed argument by Mr. John Wharton Clark, in support of the same, with leave to counsel for the appellants to file a printed brief in opposition thereto within one week.

1431. Charles Winston, Petitioner, vs. The United States.
1432. William M. Strather, Petitioner, vs. The United States.
1433. Edward Smith, Petitioner, vs. The United States.

On motion of Mr. Samuel D. Thrift, of counsel, leave is hereby granted to three counsel to argue these cases orally on behalf of the petitioners.

1431. Charles Winslow, Petitioner, vs. The United States.
1432. William M. Strather, Petitioner, vs. The United States.
1433. Edward Smith, Petitioner, vs. The United States.

The argument of these cases was commenced by Mr. George Kearney, of counsel for Winslow, continued by Mr. Samuel D. Thrift, of counsel for Strather, and Mr. Henry E. Davis, of counsel for The United States, and concluded by Mr. F. S. Key Smith, (by special leave,) of counsel for Smith.

Proclamation being made the Courts is adjourned until tomorrow at twelve o'clock.

Tuesday, November 9th. 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John B. Colton it is ordered that Amasa M. Eaton, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney, and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that Edward P. Budd, Esquire, of Mount Holly, State of New Jersey, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

No. The United States, Appellant, vs. Maria de la Luz Valdez de Conway et al. — On motion of Mr. Mill S. Reynolds, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, postponed until No. 132 is reached.

88. J. Francisco Chavez, Appellant, vs. The United States. — On motion of Mr. Mill S. Reynolds, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, postponed until No 768 is reached.

85. The Mutual Life Insurance Company of New York, Petitioner, vs. Nellie Phinney, Executrix &c. — It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

87. William Grant, Receiver &c., Plff in Error, vs. John A. Buehner. — This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. J. D. Rouse, of counsel for the plaintiff in error, and Mr. Thomas Marshall Miller, of counsel for the defendant in error.

Howard M. Holden, Pltff in Error,
vs.
A. E. Walson et al.
723. The motions to dismiss or affirm and for damages in this cause were submitted to the consideration of the Court on printed arguments by Mr. Silas Porter, in support of the same, and Mr. O. H. Dean, in opposition thereto.

Charles Adolphe Low, George T. Baker and William C. Strong, Petitioners,
vs.
The Farmers' Loan & Trust Company, William H. Blackford et al.
300. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of certiorari in this cause has been filed, Therefore, in pursuance of said stipulation It is now here ordered and adjudged by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

R. M. Manley, Executor &c., Pltff in Error,
vs.
M. E. Lardin, Sheriff &c.
397. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed

Horton, in support of the same, and Mr. David Martin, in opposition thereto.

218. Robert Dunlap, Appellant, vs. The United States. On motion of Mr. Joseph H. Choate, of counsel, for the appellee, It is ordered by the Court that one hour additional be allowed Counsel, on each side on the argument of this cause.

218. Robert Dunlap, Appellant, vs. The United States. The argument of this cause was commenced by Mr. George A. King, of counsel for the appellant, and continued by Mr. C. C. Binney, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 30th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened;

On motion first made to the Court in this behalf by Mr. A. E. Harvey it is ordered that Newton C. Abbott, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

72. The Capital National Bank of Lincoln, et al., Plffs in Error, vs. The First National Bank of Ordway, Colo.

73. The Capital National Bank of Lincoln et al., Plffs in Error, vs. The Coldwater National Bank

Mr. A. E. Harvey, of counsel for the plaintiffs in error, suggested the death of Kent K. Kaufman and the appoint-

The Capital National Bank of Lincoln, et al., vs. Plffs in Error
74. The Coldwater National Bank of Coldwater, Michigan
Kent K. Hayden, Receiver &c.,
75. vs. Plff in Error,
Samuel Cupples Woodenware Co.
Kent K. Hayden, Receiver &c.
76. vs. Plff in Error
Genesee Fruit Company.

H. McDonald as his successor as Receiver of The Capital National Bank of Lincoln, Nebraska, and moved the Court to make the said John H. McDonald, Receiver as aforesaid, a party in these cases. Whereupon it is now here ordered by the Court that the said John H. McDonald, Receiver of The Capital National Bank of Lincoln, Nebraska, be, and he is, hereby, made a party plaintiff, in error in these causes.

Robert Dunlap,
218. vs. Appellant,
The United States.

The argument of this cause was continued, by Mr. Attorney General Griggs, of counsel for the appellee, and concluded by Mr. Joseph H. Choate, of counsel for the appellant.

La Abra Silver Mining Co.,
189. vs. Appellant,
The United States.

The argument of this cause was commenced by Mr. J. M. Wilson, of counsel for the appellant, [illegible] tinued by Mr. William A. Maury, of counsel for the appellee

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

189. La Abra Silver Mining Co., Appellant; vs. The United States. The argument of this cause was continued by Mr. William A. Maury, of counsel for the appellee, and concluded by Mr. Cranmond Kennedy, of counsel for the appellant.

1894. The United States ex rel. Alfred C. Bernardin, Plaintiff in Error; vs. Charles H. Duell, Commissioner of Patents. The argument of this cause was commenced by Mr. Julian C. Dowell, of counsel for the plaintiff in error, and continued by Mr. Solicitor General Richards, of counsel for the

Friday, December 2d 1870.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright Esquire, Marshal;
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that Nicholas C. J. English, Esquire, of Elizabeth, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

320. Johns Hopkins University, Appellant,
vs.
The Baltimore & Ohio Railroad Company et al.

On a certificate from the United States Circuit Court of Appeals for the Fourth Circuit

This cause having been called to the attention of the

appellees, and he having moved the Court to dismiss this certificate pursuant to a stipulation of counsel for the respective parties, Therefore, in pursuance of said motion and stipulation, It is now here ordered by this Court that this certificate be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

75. John H. McDonald, Receiver &c., Plff in Error, vs. Samuel Cupples Woodenware Co.

John H. McDonald, Receiver &c., Plff in Error, vs. Genesee Fruit Company.

On motion of Mr. A. E. Harvey, of counsel for the plaintiff in error, It is ordered by the Court that these cases be, and they are hereby, continued until the next term, per stipulation of counsel.

144. The United States ex rel. Alfred L. Bernardin, Plff in Error, vs. Charles N. Duell, Commissioner of Patents.

The argument of this cause was concluded by Mr. George C. Hazelton, of counsel for the plaintiff in error.

64. The United States, Petitioner vs. The Buffalo Natural Gas Fuel Company.

This cause was submitted to the consideration of the Court on the record and printed

Assistant Attorney General Hoyt, of counsel for the petitioner, and Mr. Herbert J. Bissell, of counsel for the respondent.

66. The Missouri, Kansas & Texas Trust Company, Petitioner, v. Theodore M. Kimmsey et al. — This cause was argued by Mr. C. C. White, of counsel for the petitioner, and Mr. J. B. Richards, of counsel for the respondents.

67. The Columbia Water Power Co., Plff in Error, v. The Columbia Electric Street Railway, Light & Power Co. — Ordered by the Court that this cause be passed temporarily.

68. Mary S. Chaplin, Appellant, v. The United States.

69. Henrietta Fuller et al., Appellants, v. The United States. — Ordered by the Court that these cases be, and they are hereby, passed to be argued with case No. 78, as one case.

70. The St. Louis & San Francisco Railway Company, Plff in Error, v. N. M. Banker. — Ordered by the Court that this cause be passed temporarily.

71. Oscar R. Looker et al., vs. Plffs in Error, Fred. A. Maynard, Attorney General of Michigan ex rel. Joseph W. Duenbury et al. This cause was submitted to the consideration of the Court on the record and printed argument by Mr. C. A. Kent, of Counsel for the plaintiffs in error. No brief filed by counsel for defendants in error.

72. The Capital National Bank of Lincoln, Nebraska, et al., vs. Plffs in Error, The First National Bank of Cadiz, Ohio. The argument of this cause was commenced by Mr. A. E. Harvey, of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, December 5th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. Solicitor General Richards it is ordered, that J. B. Foraker, Jr., Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion duly made to the Court in this behalf by Mr. A. H. Garland it is ordered that Henry W. Scott, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

by Mr. F. A. Riddle it is ordered that Mason B. Loomis, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alphonso Hart it is ordered that Ernest K. Schmidt, Esquire, of the District of Columbia, and George Francis Williams, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

106. The Territory of New Mexico, Appellant, vs. The United States Trust Company of New York and C. H. Smith, Receiver of the Property of The Atlantic & Pacific Railroad Company. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

169. The Territory of New Mexico, Appellant, vs. The United States Trust Company of New York et al. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed, with costs.

Per Mr. Justice McKenna

170. The Territory of New Mexico, Appellant, vs. The United States Trust Company of New York et al. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna,

111. J. N. Hardinder, Sheriff &c. keeper of Wythe County Virginia, Appellant, vs. N. L. Hadley. } Appeal from the Circuit Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to restore the custody of said N. L. Hadley to the Sheriff of Wythe County, Virginia.

Per Mr. Justice Shiras.

3. A. A. McCullough, Plff in Error, vs. The Commonwealth of Virginia. } In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause

And that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

(Per Mr. Justice Brewer.)

Dissenting:
Mr. Justice Peckham.

Ex parte. In the matter of Emma S. Fitzgerald-Weather, and another, Petitioners. On motion it is now ordered by the Court that the motion for leave to Emma S. Fitzgerald-Weather and Mary W. Achter to file a petition praying that a writ of mandamus issue out of this Court to the United States Circuit Court of Appeals for the Second Circuit commanding that Court to refrain from taking cognizance of a certain writ of error sued out of said United States Circuit Court of Appeals November 9th, 1898, to review an order made in the Circuit Court of the United States for the Southern District of New York on the 19th day of October, 1898, in "In the matter of the application of Prescott Hall Butler for contempt &c." be, and the same is hereby, denied.

(Per Mr. Justice Harlan.)

(The Chief Justice took no part in the determination of this motion.)

Ex parte In the matter of Emma S. Fayerweather, and another, Petitioners,

It is now here ordered by the Court that the motion for leave to Emma S. Fayerweather and Mary H. Ashler to file a petition praying that a writ of mandamus issue out of this Court to the Circuit Court of the United States for the Southern District of New York Commanding that Court to vacate the orders made in a certain suit in equity in which Emma S. Fayerweather and Mary H. Ashler are complainants and Thomas G. Pitch et al., are defendants, dismissing the bill therein as to the respective defendants Lincoln University, a corporation of Pennsylvania, and the Hampton Normal and Agricultural Institution, a corporation of Virginia, and to reinstate said cause as to said defendants, and to proceed therein, be, and the same is hereby, denied.

(Per Mr. Justice Harlan.

(The Chief Justice took no part in the determination of this motion.)

56. The United States, Appellant, vs. Daniel Van Schoonhoven. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, the Court

ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, Affirmed.

Per Mr. Chief Justice Fuller.

Bessie Barnett, Appellant,
422. vs.
Joseph Barnett

On consideration of the motion for leave, to file the intervening petition of George W. Johnston and Thomas A. Finical herein, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Dean Linseed Oil Company, Petitioner,
1168. vs.
The United States.

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Monday, December 5th, 1898, Continued.

595. The Lake Street Elevated Railroad Company, Petitioner, vs. William Ziegler et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

233. Howard M. Holden, Plaintiff in Error, vs. A. E. Watson et al. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and on motions to dismiss or affirm and for damages submitted by the defendants in error and a motion to dismiss submitted by the plaintiff in error. On consideration whereof and in pursuance of the motion of the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

347. R. M. Manley, Executor &c., vs. N. Fly & Bro. M. E. Larkin, Sheriff &c. This cause coming by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

Do. The United States, Appellant, vs. Ranlett & Stone. Writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause coming to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the Circuit Court of the United States for the Eastern District of Louisiana in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana with a direction to enter a decree in conformity with the opinion of this Court.

Per Mr. Chief Justice Fuller.

371. The United States et al., Appts, vs. Moses Tillowell;
372. The United States et al, Appt's, vs. Emiline Mackey.
373. The United States et al., Appts, vs. Daniel S. Leatherwood
374. The United States et al., Appts vs. Robert Carter.
375. The United States et al, Appts, vs. Charles H. Nilson
376. The United States et al, Appts, vs. Mary Scroggins
377. The United States et al, Appts, vs. Fleming P. Finney.
378. The United States et al., Appts, vs. David F. McEracken
379. The United States et al, Appts, vs. Price Woody.

On motion of Mr. Solicitor General Richards, of Counsel for the appellants, two weeks additional is hereby allowed within which to file briefs in opposition to the motions to dismiss or affirm in these cases.

448. Marcus A. Spurr, Petitioner vs. The United States.

On motion of Mr. Solicitor General Richards, of Counsel for the respondent, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, January 9th, 1899, after the cases heretofore assigned for that day.

452. The Chappell Chemical & Fertilizer Company, Plff in Error, vs. The Sulphur Mines Co. of Va.

On motion of Mr. Thomas C. Chappell, of Counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed

91. The Chappell Chemical & Fertilizer Company, Plff in Error, vs. The Sulphur Mines Co., of &c.

On motion of Mr. Thomas C. Chappell, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, postponed until Case No. 99 is reached, and all questions reserved.

115. J. J. McCook and A. F. Walker, Receivers &c., vs. Plffs in Error, A. F. Miles, Administrator &c.

116. J. J. McCook and A. F. Walker, Receivers &c., vs. Plffs in Error, A. F. Miles, Administrator &c.

117. J. J. McCook and A. F. Walker, Receivers &c., vs. Plffs in Error, A. F. Miles, Administrator &c.

Mr. A. H. Garland, in behalf of counsel, suggested the death of A. F. Miles, Administrator of the estates of James H. Brown and William Spoon, deceased, and moved the Court to make George R. Wood, Administrator in succession of the estate of James H. Brown, deceased, the party defendant in error in Case No. 115; and George R. Wood, Administrator in succession of the estate of William Spoon, deceased, the party defendant in error in Cases Nos. 116 and 117. Whereupon, It is now here ordered by the Court that the said George R. Wood, Administrator in succession

he is hereby, made the party defendant in error in Case No. 115, and that George R. Wood Administrator in succession of the estate of William Spoon, deceased, be, and he is hereby, made the party defendant in error in cases Nos. 116 & 117.

8 of Oct. T. 1897. The United States, Appellant, vs. Carl B. Boe. } This cause was re-submitted to the consideration of the Court on the record and briefs of counsel for the respective parties heretofore filed.

672. Citizens Bank of Tina, Petitioner, vs. George Adams et al. } The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. F. A. Riddle, in support of the same, and Mr. Mason B. Loomis, in opposition thereto.

80 Henry H. Scott, Plff in Error, vs. The United States. } This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. T. C. Campbell, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Boyd, of counsel for the defendant in error.

72. The Capital National Bank of Lincoln, Neb., et al., vs. The First National Bank of Cadiz, Ohio. Plffs in Error,

The argument of this cause was continued by Mr. A. E. Harvey, of counsel for the plaintiffs in error, and Mr. N. C. Abbott, of counsel for the defendant in error, and concluded by Mr. John A. Ames, of counsel for the plaintiffs in error.

73. The Capital National Bank of Lincoln, Neb., et al., vs. The Coldwater National Bank of Coldwater, Michigan. Plffs in Error,

The argument of this cause was commenced by Mr. A. E. Harvey, of counsel for the plaintiffs in error, continued by Mr. L. C. Burn, of counsel for the defendant in error, and concluded by Mr. John A. Ames, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, December 6th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. F. Youmans it is ordered that Benjamin L. Abney, Esquire, of Columbia, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

30 of Oct. T. 1897.

Robert Perrin,
Appellant,
vs.
The United States et al.

On motion of Mr. Joint T. Morgan, of counsel for the appellant, leave is hereby granted to withdraw a Spanish document used as an exhibit in this cause in this Court.

87. James P. Stark, Plff in Error, vs. The United States. In Error to the District Court of the United States for the Northern District of Alabama.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the tenth rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed. Per Mr. Chief Justice Fuller.

74. The Capital National Bank of Lincoln, Neb., et al., Plffs in Error, vs. The Coldwater National Bank of Coldwater, Michigan. This cause was argued by Mr. N. E. Harvey, of counsel for the plaintiffs in error, and Mr. L. C. Burr, of counsel for the defendant in error.

75. John W. McDonald, Receiver &c., Plff in Error, vs. Samuel Cupples Wooden Ware Co.

76. John W. McDonald, Receiver &c., Plff in Error, vs. Genesee Fruit Company. It is ordered by the Court that the order of this Court continuing these cases until the next term be, and the same is hereby set aside.

75. John H. McDonald, Receiver &c., vs. Plff in Error, Samuel Cupples Wooden Ware Co.

76. John H. McDonald, (Receiver &c., vs. Plff in Error, Geneseo Fruit Company.)

These causes were submitted to the consideration of the Court on the records by Mr. A. E. Harvey and Mr. J. H. Ames, of Counsel for the plaintiff in error, and leave was granted Counsel for the defendants in error to file briefs within ten days.

67. The Columbia Water Power Co., vs. Plff in Error, The Columbia Electric Street Railway, Light & Power Co.

The argument of this cause was commenced by Mr. L. F. Youmans, of Counsel for the plaintiff in error, and continued by Mr. William N. Lyles, of Counsel for the defendant in error, and Mr. L. F. Youmans, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, December 7th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

67. The Columbia Water Power Co., Plff in Error, vs. The Columbia Electric Street Railway, Light & Power Co. Defendant in Error.

The argument of this cause was concluded by Mr. L. F. Hamman, of Counsel for the plaintiff in error.

70. The St. Louis & San Francisco Railway Co., Plff in Error, vs. M. M. Barker.

This cause was argued by Mr. L. F. Parker, of Counsel for the plaintiff in error. No brief was filed by counsel for the defendant in error.

77. Clara Wheeler, vs. Appellant / Charles Ridgely McClain et al. — The argument of this cause was commenced by Mr. C. A. Keigwin, of counsel for the appellant, continued by Mr. J. J. Darlington, of counsel for the appellees, and concluded by Mr. Alphonso Hart, of counsel for the appellant.

68. Mary S. Chaplin, vs. Appellant, / The United States

69. Henrietta Fuller et al., vs. Appellants / The United States.

78. The United States, vs. Appellant, / Mary W. Kidder et al. — The argument of these cases was commenced by Mr. James Lowndes, of counsel for Chaplin, Fuller et al., vs. Kidder et al., and continued by Mr. George A. Gorman, of counsel for The United States.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, December 5th, 1898.

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas B. Turley it is ordered that W. J. Henson, Esquire, of Petersburg, State of Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. R. R. McMahon it is ordered that Noah D. Newcomb, Esquire, of Kingston, State of New York, and William L. Penfield, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

68. Mary S. Chaplin, Appellant, vs. The United States. — The argument of this cause was continued by Mr. George A. Gorman, of counsel for the United States, and concluded by Mr. James Lowndes, of counsel for Chaplin, Fuller et al., and Kidden et al.

69. Henrietta Fuller et al., Appellant, vs. The United States.

78. The United States, Appellant, vs. Mary H. Kidden et al.

79. The United States, Appellant, vs. Andrew J. Mathews et al. — This cause was argued by Mr. Assistant Attorney General Pradt, of counsel for the appellant, and Mr. R. R. McMahon and Mr. George A. King, of counsel for the appellees.

81. The Orient Insurance Co., of Hartford, Conn., Plff in Error, vs. Robert E. Daggs. — This cause was argued by Mr. A. A. McVey, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. Thomas H. Carey it is ordered that Thomas A. Finical, Esquire, of Albuquerque, Territory of New Mexico, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

93. Seigle Beckner, Appellant, vs. Walter Scott. Appeal from the Supreme Court of the Territory of Arizona.

It appearing to the Court that an authority of counsel for the appellant to dismiss this

of said authority, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

101. Sarah Williams, Plff in Error, vs. The State of Georgia. In Error to the Supreme Court of the State of Georgia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

82. The United States, Appellant, vs. William F. Ingram. This cause was argued by Mr. George H. Gorman, of counsel for the appellant, and Mr. Russell Duane, of counsel for the appellee.

83. The Washington Market Co., Appellant, vs. The District of Columbia. The argument of this cause was commenced by Mr. William Birney, of counsel for the appellant.

Monday, December 12th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that David L. Sleeper, Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles S. Thomas it is ordered that Thomas C. Brown, Esquire, of Gunnison, and George R. Elder, Esquire, of Leadville, State of Colorado, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John S. Miller it is ordered that Nicholas H. Haldeen, Esquire, of Chicago, and John J. Ingram and Edward D. Sweeney, Esquires, of Rock Island, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. A. Pollock it is ordered that T. D. Hutchings, Esquire, of Kansas City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

99. The United States, vs. Charles Loughrey and Miles A. Wheeler. } In Error to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Wisconsin. Per Mr. Justice Brown.

60. Charles Clarke and Robert P. Clarke, vs. Petitioners, The Steamship "Elfrida", Fryman, Bell & Co, Claimants. — On writ of certiorari, to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Texas with directions to execute its original decree.

Per Mr. Justice Brown.

6. C. G. Blake, Rogers, Brown & Company and The Hull Coal & Coke Co., vs. Plffs in Error, Calvin M. McClung, William D. Smith, Franklin A. McClung, Jr., and Charles J. McClung, Jr., Partners, as C. M. McClung & Company et al. — In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of

sideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause as to The Hull Coal & Coke Company be, and the same is hereby, affirmed with costs and as to the other plaintiffs in error be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Brewer and
Mr. Chief Justice Fuller.

34. The Village of Norwood, Appellant, v. Ellen R. Baker. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Brewer,
Mr. Justice Gray and

The Chief Justice announced that the Court will take a recess from Monday, the 19th instant to Tuesday, January 3d, 1899.

189. La Abra Silver Mining Co., Appellant, vs. The United States. It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on the merits on Monday, February 20th, 1899. (per Mr. Chief Justice Fuller.)

622. Citizens Bank of Pina, Petitioner vs. George Adams et al. On petition for a writ of certiorari, to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied. (per Mr. Chief Justice Fuller.)

70. The St. Louis & San Francisco Railway Company, Plff in Error, vs. H. M. Barker. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript

of Appeals for the Eighth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; And that this cause be and the same is hereby, remanded to the United States Court in the Indian Territory, Central District.

Per Mr. Chief Justice Fuller.

77. Clara Wheeler, Appellant, vs. Charles Ridgely McClain, Andrew Devine and John G. Johnson. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

68. Mary S. Chaplin, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript,

argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims, with directions to enter judgment for the claimant.

Per Mr. Chief Justice Fuller.

69. Henrietta Fuller, Mary S. Hamilton and Phoebe H. Seaton, Appellants, v. The United States. Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter judgment for the claimants.

Per Mr. Chief Justice Fuller.

78. The United States, Appellant vs. Mary N. Hidden, Adm'x &c. et al. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

(per Mr. Chief Justice Fuller.)

630. The United States, Petitioner, vs. Joseph S. Harris et al., Receivers &c. The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. Solicitor General Richards, in support of the same.

107. The United States, Petitioner, vs. The Roessler & Hasslacher Chemical Co.

103. The United States, Petitioner vs. Frank Dudley.

On motion of Mr. Solicitor General Richards, of Counsel for petitioner, It is ordered by the Court that these cases be, and they are hereby, passed, subject to the provisions of Section 7 of Rule 16.

633. James B. Davis, Appellant, vs. The United States.

Mr. Solicitor General Richards of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Court of Claims of the United States.

I, Archibald Hopkins, Chief Clerk of the Court of Claims, do hereby certify that in a certain cause pending in said Court, No. 11,251, wherein James B. Davis was claimant and The United States were defendants a final decree was rendered by said Court of Claims on the fourth day of June A.D. 1888, in favor of the said defendants, and against the said claimant, and that on the twelfth day of August, A.D. 1888, said claimant prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof, I have unto subscribe my name and affix the seal of said Court of Claims, at Washington, D.C. this 6th day of December, A.D. 1878.

(Seal)

Archibald Hopkins,
Chief Clerk"

moved the Court to docket and dismiss this appeal, pursuant to the 6th rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that this appeal from the Court of Claims be, and the same is hereby, docketed

same is hereby, remanded to the said Court of Claims to be proceeded in according to law and justice.

(Per Mr. Chief Justice Fuller.)

99. The Chappell Chemical & Fertilizer Company, vs. Plff in Error, The Sulphur Mines Co. of Va.

92. The Chappell Chemical & Fertilizer Company, vs. Plff in Error, The Sulphur Mines Co. of Va.

91. The Chappell Chemical & Fertilizer Company, vs. Plff in Error, The Sulphur Mines Co. of Va.

Mr. T. C. Chappell, of Counsel for the plaintiff in error, moved the Court to place these cases in the same position as on the call during last week. Whereupon, It is ordered by the Court that said motion be, and the same is hereby, denied.

631. The Liverpool & London & Globe Insurance Co., vs. Petitioner, Edwin McNeill, Receiver &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. William Allen Butler and Mr. John Holman, in support of the same, and Mr. L. B. Cox, in opposition thereto.

344. Fred. Stearns, County Auditor &c., vs. Plff in Error, The State of Minnesota on the

Mr. A. B. Browne, in behalf of counsel, submitted to the

the Court a motion to advance this cause.)

581. David N. Brown, Appellant, vs. C. N. Bliss, Secretary of the Interior.

Mr. C. A. Keiguin, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

626. Robert L. Taylor, Governor, etal., Petitioners, vs. The Louisville & Nashville R'R Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argument by Mr. J. W. Cook, Mr. W. L. Granberry and Mr. A. D. Marks, in support of the same, and Mr. J. M. Dickinson, in opposition thereto.

316. John J. Walsh, Plff in Error, vs. The Columbus, Hocking Valley & Athens Railroad Co.

317. Robert Wright, Plff in Error, vs. The Columbus, Hocking Valley & Athens Railroad Co.

318. Michael S. Vought, Plff in Error, vs. The Columbus, Hocking Valley & Athens Railroad Co.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the records and printed argument by Mr. D. L. Sleeper, and Mr. C. H. Grosvenor, in support of the same, and

opposition thereto.

107. Charles Coudert, as Ancillary Executor &c., vs. Plff in Error, The United States. On motion of Mr. Edward J. Renick, in behalf of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7 of Rule 26.

394. The United States, vs. Appellant, Edward C. Bliss, Executor &c. This cause was submitted to the consideration of the Court, pursuant to the 20th Rule, on the record and printed arguments by Mr. Assistant Attorney General Pradt and Mr. C. C. Binney, of counsel for the appellant, and Mr. John S. Blair, of counsel for the appellee.

11. The Mayor &c., of the City of New York et al., vs. Appellants, Robert H. Workman. On motion of Mr. Harrington Putnam, of counsel for the appellee, It is ordered by the Court that this cause, &c., and the same is hereby, assigned for re-argument on Monday, February 20th, 1899, after the case heretofore assigned for that day.

83. The Washington Market Co., Appellant, vs. The District of Columbia. The argument of this cause was continued by Mr. William Binney, of counsel for the appellant, and Mr. S. T. Thomas, of counsel for the appellee, and concluded by Mr. William Binney, of counsel for the appellant.

94. James L. Iller et al., Appellants vs. B. J. Franklin, Governor, et al. This cause was argued by Mr. John F. Dillon, of counsel for the appellants, and Mr. C. C. Wright, of counsel for the appellees. Submitted on a printed argument by

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, December 13th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John P. Dillon it is ordered that William Allen Smith, Esquire, of Grand Rapids, State of Michigan be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Adolph G. Wolf it is ordered that Joseph L. Greenwald, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

636. Charles H. Ingwersen, Pltff in Error, v. The United States. On motion of Mr. John S. Miller, of Counsel for the Plaintiff in Error

It is ordered by the Court that this Cause be, and the same is hereby, advanced and submitted on printed briefs to be filed by Counsel for the Plaintiff in Error within twenty days and by Counsel for the defendant in error within ten days thereafter.

104. George Hennen, Appellant, v. Frederick Bauman. Received to- This cause was submitted to the consideration of the Court on the record and printed

arguments by Mr. George Turner, of Counsel, for the appellant, and Mr. Frederick Bauman, of counsel for the appellee.

45. The Lake Shore & Michigan Southern Railway Co., Plff in Error, v. The State of Ohio ex rel. George L. Lawrence. This cause was argued by Mr. George C. Greene, of Counsel for the Plaintiff in Error, and Mr. W. A. Pelhamus, of counsel for the defendant in error.

1409. S. W. A. Clark et al, Receivers &c., vs. Plffs in Error, The City of Kansas City, Kansas et al. This cause was argued by Mr. A. L. Williams, of counsel for the plaintiffs in error, and Mr. F. D. Hulehinge and Mr. Thomas A. Pollock, of counsel for the defendants in error.

675. Edwin S. Skillen, vs. Appellant, John C. Ames, U.S. Marshal &c. On motion of Mr. H. S. Robbins, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, advanced, and submitted on the printed Briefs filed in cases No. 11, Original, and No. 1435.

1435. James Nicol, vs. Appellant, John Ames, U.S. Marshal &c. And Ex parte In the matter of George R. Nichols, Petitioner. 11, Original. The argument of these cases was commenced by Mr. H. S. Robbins, of counsel for the appellant and petitioner, and continued by Mr. Solicitor General Richards, of counsel for the appellee and respondent.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, December 4th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown — Associate
George Shiras Jr. — Justices
Edward D. White
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Julson Harmon it is ordered that Edgar T. Brackett, Esquire, of Saratoga Springs, State of New York, be admitted to practice as an attorney and counsellor of this Court and, he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington it is ordered that James R. Keaton, Esquire, of Oklahoma City, Territory of Oklahoma, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. John Sidney Webb it is ordered that Paul Neumann, Esquire, of Honolulu, Hawaiian Islands, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

435 James Nicol
vs. Appellant,
John Ames, U.S. Marshal &c.
and
Ex parte In the matter of
George R. Nichols
H. Original. Petitioner.

The argument of these cases was continued by Mr. Solicitor General Richards, of counsel for the appellee and respondent, and concluded by Mr. John G. Carlisle, of counsel for the appellant and petitioner.

177. The Board of County Commissioners of the County of Lake, Col.
vs. Petitioner,
Harry H. Dudley.

The argument of this cause was commenced by Mr. George R. Elder, of counsel for the petitioner, and continued by Mr. John F. Dillon, of counsel for the respondent.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday December 15th 1898.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown } Associate
George Shiras, Jr. } Justices
Edward D. White
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

177. The Board of County Commissioners of the County of Gunnison, Col., Petitioner, vs. Henry A. Dudley, Respondent.

The argument of this cause was continued by Mr. E. F. Richardson, of counsel for the

178. The Board of County Commissioners of the County of Gunnison, Col., Petitioner, vs. E. A. Rollins & Sons.

The argument of this cause was commenced by Mr. J. C. Brown, of counsel for the petitioner, and continued by Mr. John F.

for the respondent; and by Mr. Charles S. Thomas, of counsel for the petitioner and the petitioner-in case No. 1477.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, December 16th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown,
George Shiras Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal.,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Dillon it is ordered that Randolph Barton and James M. Ambler, Esquires, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

178. The Board of County Commissioners of the County of Gunnison, Petitioner, v. E. A. Robbins & Sons.

The argument of this cause was concluded by Mr. Charles S. Thomas, of counsel for the petitioner and the petitioner

90.	William T. Gilbert, Receiver &c., vs. The Washington Beneficial Endowment Association et al. Appellants,	Ordered by the Court that this cause be passed temporarily.
96.	The Bellingham Bay & British Columbia Railroad Co. vs. The City of New Whatcom. Plff in Error,	These cases were argued by Mr. L. T. Michener, of Counsel for the plaintiffs in error. No Counsel appeared for the defendant in error.
97.	The Bellingham Bay Improvement Co., vs. The City of New Whatcom, Plff in Error,	
98.	The Bellingham Bay Improvement Co., vs. The City of New Whatcom, Plff in Error,	
99.	The Chappell Chemical & Fertilizer Co., vs. The Sulphur Mines Co. of Va.) Plff in Error,	These cases were argued by Mr. Thomas C. Chappell, of Counsel for the plaintiff in error, and Mr. James M. Ambler and Mr. Randolph Barton, of Counsel for the defendant in error.
97.	The Chappell Chemical & Fertilizer Co., vs. The Sulphur Mines Co. of Va. Plff in Error,	
91.	The Chappell Chemical & Fertilizer Co., vs. The Sulphur Mines Co. of Va. Plff in Error,	

Proclamation being made the Court is adjourned

Monday, December 19th 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. S. F. Thomas it is ordered that L. Lee Smith, Esquire, of Ada, State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Garland it is ordered that Daniel Kellehen, Esquire of Seattle, State of Washington be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter E. Boyd it is ordered that Richard

Carolina, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

314. William Grant, Receiver of the Estate of Oliver J. Morgan, vs. Plff in Error, Jim A. Burbridge, } In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice Brewer.

316. John J. Walsh, vs. Plff in Error, The Columbus, Hocking Valley & Athens Railroad Co.

317. Robert Knight, vs. Plff in Error, The Columbus, Hocking Valley & Athens Railroad Co.

318. Michael S. Vought, vs. Plff in Error, The Columbus, Hocking Valley &

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in these cases be, and the same is hereby, postponed until the hearing of the

ments.

(per Mr. Chief Justice Fuller.)

Fred. Stearns, County Auditor &c, Plff in Error,
v.
The State of Minnesota on the relation of James N. Mace.

On consideration of the motion to advance this cause for oral argument,

It is now here ordered by the Court that said motion be, and the same is hereby, denied, but the cause may be submitted on printed arguments on or before February 1st, 1899, if Counsel so desire.

(per Mr. Chief Justice Fuller.)

344.

David Brown,
v. Appellant,
C. N. Bliss, Secretary of the Interior.

581.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, February 20th, 1899, after the cases heretofore assigned for that day.

(per Mr. Chief Justice Fuller.)

630. The United States, Petitioner, vs. Joseph S. Harris et al., Receivers &c. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

631. The Liverpool & London & Globe Insurance Company, Petitioner, vs. Edwin McNeill, Receiver &c. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

626. Robert L. Taylor, Governor, &c., Constituting The Board of Equalization of the State of Tennessee, vs. Petitioners. The Louisville & Nashville Railroad Company.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

610. The City of New Orleans, vs. Petitioner, John L. Haener.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Branch K. Miller and Mr. Samuel L. Gilmore, in support of the same, and Mr. Richard Delgray, Mr. J. D. Rouse, Mr. William Grant and Mr. Wheeler H. Peckham, in opposition thereto.

343. The City of New Orleans, vs. Plff in Error, Mary Quinlan.

This cause was submitted to the consideration of the

the 70th rule, on the record and printed arguments by Mr. Samuel L. Gilmore and Mr. W. B. Sommerville, of counsel for the plaintiff in error, and Mr. Charles Lougne, of counsel for the defendant in error.

756. The Blythe Company, vs. John H. Blythe et al. Appellant, The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Frederic D. McKenney, Mr. H. H. Hart, Mr. John Garber and Mr. Robert J. Hayne, in support of the same, and Mr. George W. Fowle Jr., Mr. John F. Dillon and Mr. E. S. Pillsbury, in opposition thereto.

992. Hosea B. Tullis, vs. The Lake Erie & Western Railroad Co. Plff in Error, The petition for a writ of certiorari to bring up the entire record in this cause was submitted to the consideration of the Court on printed arguments by Mr. H. H. Miller and Mr. John B. Elam, in support of the same, and Mr. A. G. Harris, in opposition thereto.

153. The Security Trust Co. Assignee, vs. Frank H. Dodd et al. Plff in Error, The petition for a writ of certiorari to bring up the

this cause was submitted to the consideration of the Court on printed arguments by Mr. James E. Markham, in support of the same, and Mr. E. S. Durrent, in opposition thereto.

237. Charles H. Collins et al. vs. Appellants
Louis C. Boyle, Attorney General &c.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. David Martin, in support of the same, and Mr. B. P. Haggerer and Mr. A. A. Horton, in opposition thereto.

415. Marcus A. Spurr, vs. Petitioner
The United States

On motion of Mr. A. A. Horton, of counsel for the petitioner, It is ordered by the Court that this cause be, and the same is hereby re-assigned for argument on Monday, February 20th, 1899, after the cases heretofore assigned for that day.

605. Louis Roesel, vs. Appellant,
William T. Kirk, Sheriff &c.

On motion of Mr. M. L. J. English, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on Monday, January 9th, 1899, after

111. The Green Bay & Mississippi Canal Co., vs. Plff in Error, The Patten Paper Co., Limited, et al. On motion of Mr. A B Browne, on behalf of counsel for the defendants in error, It is ordered by the Court that the mandate in this cause be stayed until January 23, 1899.

638. The International Bank of St. Louis, vs. Petitioner, Eberhard Faber. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Robert D. Murray, in support of the same, and Mr. Francis Forbes, in opposition thereto.

423. William Stephens et al., Apl'ts, vs. The Cherokee Nation.
460. Mary E. Truitt et al., " " " " "
539. C. W. Hubbard et al., " " " " "
540. Delphiam McAnally et al., " " " " "
541. Mary L. Bushear et al., " " " " "
542. S. K. Conley et al., " " " " "
543. Mariam A. Dial et al., " " " " "
544. W. P. Munson et al., " " " " "
545. George Hubbard et al., " " " " "
546. Louisa E. Trotter et al., " " " " "
547. Simuel C. Hill et al., " " " " "
548. P. G. Russell et al., " " " " "

550. Mozart Sims et al., Appts, vs. The Cherokee Nation,
551. Catharine V. Smith et al., " " " "
552. Thomas Henley et al., " " " "
553. Hezekiah Henley et al., " " " "
554. William M. McKee et al " " " "
555. Mary A. Singleton et al., " " " "
556. Elizabeth N. Brown et al " " " "
557. Hannah Flippin et al., " " " "
558. J. M. Gambill et al.,) " " " "
559. Mary F. Bruce et al " " " "
560. J. M. Abercrombie et al., " " " "
561. H. J. Watts et al., " " " "
562. Agnes D. Hockett et al " " " "
563. Elizabeth Pace et al.,) " " " "
564. George Teague et al " " " "
565. B. F. Earp et al.,) " " " "
566. Eliza Mayberry et al " " " "
567. David Bailes et al " " " "
568. John G. Lloyd et al " " " "
569. A. H. Rutherford et al., " " " "
570. Cynthia A. Brought et al " " " "
571. Eliza M. Black et al " " " "
572. A. M. Archer et al,) " " " "
573. George D. Hopson et al " " " "
574. David C. Bayes et al " " " "
575. H. J. Rowell et al " " " "
576. Melinda Armstrong et al " " " "
577. Cynthia Goin et al, " " " "
~~578. Susan S. Benright et al~~
579. David Meredith et al., " " " "

598. Christopher C. Steen et al, Appts, vs. The Cherokee Nation,
599. A. M. Couch et al, " " " " "
600. W. A. Presley et al, " " " " "
601. John H. Elliott et al, " " " " "
608. Rebecca M. Watkins et al, " " " " "
609. James M. Harrison et al, " " " " "
612. James B. Slatter et al, " " " " "
613. J. M. Hazlewood et al, " " " " "
614. David Franks et al, " " " " "
615. Wilson Harp et al, " " " " "
616. Francis Armstrong et al, " " " " "
617. Joseph H. Rogers et al, " " " " "
618. Robert Isbell et al, " " " " "
619. Samuel Wilkinson et al " " " " "

On motion of Mr. A. H. Garland, of Counsel for the appellants it is ordered by the Court that these cases be, and they are hereby, advanced, and assigned for argument on Monday, February 20th, 1899, after the cases heretofore assigned for that day.

Proclamation being made the Court is adjourned until Tuesday, January 3d, 1899, at twelve o'clock.

Tuesday, January 3d, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. Ross Perry it is ordered that William Thomson, Esquire, of Burlingame, State of Kansas, and Raymond A. Heiskell, Esquire, of Prince George's County, State of Maryland be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

1102. S. N. Clark, Oliver H. Minx, C. Ellery Anderson, J. O. Dozne and F. N. Coudert, Receivers of the Union Pacific Railway Company, vs. Plffs in Error, The City of Kansas City, Kansas, et al — In Error to the Supreme Court of the State of Kansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice McKenna

64. The United States, vs. Petitioner, The Buffalo Natural Gas Fuel Company. — Writ of Certiorari, to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the Circuit Court of the United States for the Northern District of New York in this cause be, and the same is hereby, Affirmed; and that this cause be, and the same is hereby, remanded

from District of New York.

(per Mr. Justice Peckham

80. Henry H. Scott, vs. Riffin Emmons, The United States } In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

(per Mr. Justice Peckham

51. James E. Simpson Jr. Alfred N. Simpson and Willis S. Simpson surviving partners of the firm of J. E. Simpson & Company, vs. The United States } Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed;

83. The Washington Market Company, vs. Appellant, The District of Columbia, } Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice White.)

57. The Home for Incurables, vs. Appellant, Mary Spencer Noble et al., Emeline Colville } Appeals from the Court of Appeals of the District of Columbia.

61. vs. Appellant, The American Security & Trust Company.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, reversed, the costs of all parties to be paid out of the estate; And that

to the said Court of Appeals with directions to affirm the decree of the Supreme Court of the District of Columbia.

(Per Mr. Justice White.

(Mr. Justice Gray, not having heard the argument, took no part in the decision of this cause.)

66. The Missouri, Kansas & Texas Trust Company, Petitioner, v. Theodore M. Kiumsey and Louise Kiumsey. Writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

(Per Mr. Justice Shiras.

45. Jacob Sonnenheil vs. Iliff in Error, The Christian Moerlein Brewing Company et al. J. J. Dickerson. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Texas.

Per Mr. Justice Brown.

94. James L. Utter and Elizabeth B. Voorhies, Appellants, vs. B. J. Franklin, Governor, C. P. Leitch, Auditor, and C. M. Bruce, Secretary, Loan Commissioners of the Territory of Arizona. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered and

the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings, not inconsistent with the opinion of this Court.

(Per Mr. Justice Brown.)

87. The United States, Appellant, vs. William T. Ingram. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter a judgment for the defendant.

(Per Mr. Justice Brewer.)

96. The Bellingham Bay and British Columbia Railroad Company, Plff in Error, vs. The City of New Whatcom. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice Brewer.)

97. The Bellingham Bay Improvement Company, Plff in Error, v. The City of New Whatcom. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice Brewer.)

98. The Bellingham Bay Improvement Company, Plff in Error, v. The City of New Whatcom. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered

of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brewer.)

394. The United States, Appellant, vs. Edward P. Bliss, Executor of Donald McKay, deceased. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter a judgment for the Claimant, less the two amounts of $17,608.71 and $14,815.66, the increased cost of labor and material.

(Per Mr. Justice Brewer.)

431. Charles Hinston, Petitioner vs. The United States. On writ of certiorari to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel.

ed and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and to order a new trial.

(per Mr. Justice Gray.)

Dissenting:
Mr. Justice Brewer and
Mr. Justice McKenna.)

William M. Strather, Petitioner, vs. The United States. On writ of certiorari to the Court of Appeals of the District of Columbia.

432.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and to order a new trial.

(per Mr. Justice Gray.)

Dissenting:
Mr. Justice Brewer and

433. Edward Smith, Petitioner, vs. The United States. On writ of certiorari to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to reverse the judgment of the Supreme Court of the District of Columbia and to order a new trial.

(per Mr. Justice Gray.)

Dissenting:
Mr. Justice Brewer and
Mr. Justice McKenna.

130. William C. Fitts, as Attorney General of the State of Alabama, A. K. Carmichael, as Solicitor of the eleventh judicial circuit of the State of Alabama, and William H. Gilliam, Appellants, vs. Charles M. McGhee and Henry Flint, as Receivers of the Memphis & Charleston Rail Road, et al. Appeal from the Circuit Court of the United States for the Northern District of Alabama.

of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dissolve the injunction restraining the institution or prosecution of indictments or other criminal proceedings in the State Court, to dismiss the suit brought by the receivers, and to remand Clem and Brabson to the custody of the proper State authority.

Per Mr. Justice Harlan.

The Capital National Bank of Lincoln, Nebraska, and John W. McDonald, Receiver thereof, Plffs in Error, vs. The First National Bank of Cadiz, Ohio. } In Error to the Supreme Court of the State of Nebraska.

No. 72.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

73. The Capital National Bank of Lincoln, Nebraska, and John W. McDonald, Receiver thereof, Plffs in Error, vs. The Coldwater National Bank of Coldwater, Michigan. — In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

74. The Capital National Bank of Lincoln, Nebraska, and John W. McDonald, Receiver thereof, Plffs in Error, vs. The Coldwater National Bank of Coldwater, Michigan. — In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Tuesday, January 3d, 1899. Continued.

75. John N. McDonald, Receiver of The Capital National Bank of Lincoln, Nebraska, Plff in Error, vs. Samuel Cupples Wooden Ware Company. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

76. John N. McDonald, Receiver of The Capital National Bank of Lincoln, Nebraska, Plff in Error, vs. Genesee Fruit Company. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

27. Abram H. Hendry, Appellant, vs. Ocean Steamship Company. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument.

(per Mr. Chief Justice Fuller.)

321. The United States ex rel. Abbe vs. Moses Hallowell,
322. " " " " " " Emeline Mackey
323. " " " " " " Daniel S. Leatherwood.
324. " " " " " " Robert Carter
325. " " " " " " Charles H. Hilson.
326. " " " " " " Mary Scroggs
327. " " " " " " Fleming P. Jennings
328. " " " " " " David P. McCracken
329. " " " " " " Brice Woody

On consideration of the motions to dismiss or affirm in these cases and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

(per Mr. Chief Justice Fuller.)

188. The Security Trust Co., Assignee, vs. Plff in Error Frank A. Dodd et al. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of

of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

237. Charles W. Colling et al., Appellants, vs. Louis C. Boyle, Attorney General &c. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

242. Hosea B. Tullis, Plff in Error, vs. The Lake Erie & Western Railroad Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

655. William T. Donnell, Petitioner, vs. The Boston Towboat Co. The petition for a writ of Certiorari, herein was submitted to the consideration of the Court on printed arguments by Mr. Eugene P. Carver and Mr. E. H. Blodgett, in support of the same, and Mr. L. S. Dabney and Mr. Frederic Cunningham, in opposition thereto.

114. The Metropolitan Railroad Co., Plff in Error, vs. Samuel R. Church, Judge &c. 145. The Brightwood Railroad Co., Plff in Error, vs. Lewis I. O'Neal et al. On motion of Mr. R. Ross Perry, It is ordered by the Court that these cases be, and they are, hereby, advanced to be argued with Case No. 108, as one case, and one hour additional time allowed each side for the argument.

657. Robert L. Taylor et al., Appellants, vs. The Nashville, Chattanooga & St. Louis Railway. Mr. Frederic D. McKenney, in behalf of Counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

660. The Salmen Brick & Lumber Co., Limited, Appellant, vs. Mr. Frederic D. McKenney, of Counsel for the appellee, submitted a motion to dismiss the appeal herein.

Court the following certificate, to wit:

"District Court of the United States
For the Eastern District of Louisiana.

I, Frank H. Mortimer, Clerk of the District Court of the United States for the Eastern District of Louisiana, do hereby certify that in a certain cause pending in said Court wherein Henry Dieck, John Markey and Sidney Foley are libellants and The Salmen Brick and Lumber Company, Limited, is respondent, a final decree was entered on the 16th day of June, A.D. 1898, and signed on the 21st day of June, A.D. 1898, by said District Court in favor of the said libellants and against the said respondent, and that on the Seventh day of July, A.D. 1898, said respondent prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of said District Court, at New Orleans, La., this 31st day of December, A.D. 1898.

(Seal)

Frank H. Mortimer,
Clerk."

moved the Court to docket and dismiss this cause pursuant to the 9th rule; and it appearing to the Court that the appellant has failed to have its cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this

for the Eastern District of Louisiana be, and the same is hereby, docketed and dismissed with cost. And that this cause be, and the same is, hereby remanded to the said District Court, to be proceeded in according to law and justice. Per Mr. Chief Justice Fuller.

40. William P. Gilbert, Receiver &c, Appellant, vs. The Washington Beneficial Endowment Association et al. On motion of Mr. Frederic D. McKenney, of Counsel for the appellees, It is ordered by the Court that this cause be, and the same is hereby, passed.

68. Mary S. Chaplin Appt, vs. The United States.
69. Henrietta Fuller et al, Appts. vs. The United States.
78. The United States, Appt, vs. Mary H. Kidder et al.

On motion of Mr. James Lowndes, of Counsel, leave is hereby granted the Clerk to issue the mandates in these cases.

527. George F. Peery et al., Appellants, vs. The Choctaw Nation. Mr. Charles A. Keigwin, of Counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

183. The Connecticut Mutual Life Insurance Co., Plff in Error, vs. Linda G. Spratley. This cause was submitted to the consideration of the Court, pursuant to the 10th rule, on the record and printed arguments by Mr. B. M. Estes, of counsel for the plaintiff in error, and Mr. Thomas B. Turley and Mr. L. E. Wright, of counsel for the defendant in error.

973. The First National Bank of Grand Forks, North Dakota, Plff in Error, vs. Alexander Anderson. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Henry W. Phelps, in support of the same, and Mr. Burke Corbet, in opposition thereto.

100. The Santa Fe, Prescott & Phoenix Railway Co., Plff in Error, vs. Joseph Hunter. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. G. W. Kretzinger, of counsel for the plaintiff in error, and Mr. W. H. Barnes, of counsel for the defendant in error.

105. Rodman M. Price et al., vs. Riffs in Error, Anna M. Forrest et al. Reargument of this cause was commenced by Mr. John C. Fay, of Counsel for the plaintiffs in error, and continued by Mr. Cortlandt Parker and Mr. R. Wayne Parker, of Counsel for the defendants in error, and Mr. Flavel McGee, of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, January 4th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Flavel McGee it is ordered that Louis F. Boyle, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Tilden it is ordered that Lewis Lafayette Tunnell, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. H. Mackey it is ordered that S. S. Ashbaugh,

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Ross Perry, it is ordered that John A. McKay, Esquire, of Saginaw, E.S., State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

105. Rodman M. Price et al., vs. Plffs in Error, Anna M. Forrest et al. The argument of this cause was concluded by Mr. Flavel McGee, of counsel for the plaintiffs in error.

109. Edwin A. McIntire et al., vs. Appellants, Mary C. Puget. The argument of this cause was commenced by Mr. Frank T. Browning, of counsel for the appellants, and continued by Mr. T. H. Mackey, of counsel, for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday, January 5th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras Jr.,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Knight, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

621. J. W. Cumming et al.,
vs. Plffs in Error.
The County Board of Education of Richmond County, Georgia.

Mr. A. Ross Perry, in behalf of Counsel, for the Plaintiffs in Error, submitted to the consideration of the Court a motion to advance the cause.

104. Edwin A. McIntire et al.,
vs. Appellants,
Mary C. Pryor.

The argument of this cause was continued by Mr. F. H. Mackey, of Counsel for the Appellee, and concluded by Mr. Frank D. Browning, of Counsel for the Appellants.

110. Henry C. King, Petitioner, vs. Julius C. Williamson et al. This cause was submitted to the Court en Banc on the record with leave to counsel to file briefs within ten days,

105. The Capital Traction Co., vs. Hoff in Error, Charles Hoff.

111. The Metropolitan Railroad Co., vs. Hoff in Error, Samuel K. Church, Justice of the Peace.

195. The Brightwood Railroad Co., vs. Hoff in Error, Lewis L. O'Neal et al.

The argument of these cases was commenced by Mr. R. Ross Perry, of counsel for the Capital Traction Co., and continued by Mr. Alexander Hoff, of counsel for Hoff, Mr. E. L. Schmidt, of counsel for Church, and Mr. Raymond A. Heisdell, of counsel for O'Neal et al.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 6th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

108. The Capital Traction Co., vs. Hof in Error, Charles Hof.

114. The Metropolitan Railroad Co. vs. Hof in Error, Samuel K. Cusack, Justice of the Peace.

145. The Brightwood Railroad Co., vs. Hof in Error, Lewis S. O'Neal et al.

The argument of these cases was continued by Mr. Raymond A. Heistell, of counsel for O'Neal et al, and Mr. M. J. Colbert, of counsel for O'Neal et al, and concluded by Mr. D. W. Baker, of Counsel for The Metropolitan Railroad Co., and the cases were submitted on a printed argument by Mr. Henry P. Blair, of Counsel for The Brightwood Railroad Co.

111. Leo C. Harmon, Receiver &c, Plff in Error, vs. The National Park Bank of the City of New York. This cause was argued by Mr. Frederic J. Swift, of Counsel for the plaintiff in error, and Mr. Louis F. Doyle, of Counsel for the defendant in error.

112. Charles G. Smith et al. Appellants, vs. Charles Burnett et al. Reargument of this cause was commenced by Mr. R. D. Benedict, of Counsel for the appellants.

Proclamation being made the Court is adjourned, until Monday next at twelve o'clock.

Monday January 9th, 1899.

Pursuant to adjournment the Court met today at the Capitol

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that John L. A. Johnson, Esquire, of Yonkers, State of New York, and Julius L. Anderson, Esquire, of Dranton, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Judson Harmon it is ordered that Charles H. Boller, Esquire, of Dayton, O. J. Renner and Sidney G. Strieker, Esquires, of Cincinnati, and David H. Bowman, Esquire, of Greenville, State of Ohio, be admitted to practice as attorneys and

accordingly.

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that J. C. Pritchard, Esquire, of Marshall, and Charles A. Moore, Esquire, of Asheville, State of North Carolina, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Keiguin, it is ordered that Edward O. Miller, Esquire, of Visalia, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

91. The Chappell Chemical and Fertilizer Company, Plff in Error, vs. The Sulphur Mines Company of Virginia. In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice McKenna.

43. The Chappell Chemical and Fertilizer Company, Plff in Error, vs. The Sulphur Mines Company of Virginia. In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by Counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice McKenna.

44. The Chappell Chemical and Fertilizer Company, Plff in Error, vs. The Sulphur Mines Company of Virginia. In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

15. Norman Keet, Plff in Error, vs. The United States. In Error to the District Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to set aside the verdict and grant a new trial.

Per Mr. Justice White.

Dissenting:
Mr. Justice Brown,
Mr. Chief Justice Fuller,
Mr. Justice Harlan and
Mr. Justice Brewer.

67. The Columbia Water Power Co., Plff in Error, vs. The Columbia Electric Street Railway, Light and Power Co. In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here

ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed, with costs.

(Per Mr. Justice Brown.)

16. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, Plff in Error, vs. The Long Island Loan & Trust Company, Executor of the last will and testament of Charles P. Lynde, deceased. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Harlan.)

638. The International Bank of St. Louis, Petitioner, vs. Eberhard Faber. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the ar-

support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

655. William P. Donnell, Petitioner, vs. The Boston Towboat Company. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

657. Robert L. Taylor et al. Appellants, vs. The Nashville, Chattanooga & St. Louis Railway. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 16th next, but the case will be taken on printed briefs on or before the first Monday of March, if Counsel shall be so advised.

691. J. W. Cumming et al. vs. The County Board of Education of Richmond County, Georgia. In Error. On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby granted, and the cause assigned for argument on Monday, Oct. 16th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

111. Leo C. Harmon, as Receiver of The Stock Growers National Bank of Miles City, Montana, vs. The National Park Bank of the City of New York. In Error to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York with a direction to render judgment in accordance with the mandate of

George Kennear,
254. v. Appellant
Frederick Bausman, as Receiver of The Rainier Power and Railway Company.

Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The Blythe Company,
256. v. Appellant,
John H. Blythe, Henry T. Blythe and Florence Blythe Kinsley.

Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

1511. The Northern Pacific Railway Co., Plff in Error, vs. James McCaffrey. — On motion of Mr. Solicitor General Richards leave is hereby granted to file a printed brief herein on behalf of The United States.

536. Charles N. Ingwersen, Plff in Error, vs. The United States. — On motion of Mr. Solicitor General Richards, It is ordered by the Court that the time within which counsel for the defendant in error may file a brief herein be, and the same is hereby extended one week.

667. John Cadwalader, late Collector, Petitioner, vs. Charles N. Meyer et al. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Solicitor General Richards, in support of the same, and leave was granted counsel for the respondent to file a printed brief on or before Friday the 13th instant.

665. W. Vance Brown et al., Petitioners, vs. The Cranberry Iron & Coal Co. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. Charles A.

the same.

663. Mary C. Delafield, Petitioner, vs. The Hospital of the Protestant Episcopal Church in Philadelphia et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. D. T. Watson and Mr. A. S. Burgwin, in support of the same.

1431. Charles Winston, Petitioner, vs. The United States.
1432. William M. Strather, Petitioner, vs. The United States.
1433. Edward Smith, Petitioner, vs. The United States.
On motion of Mr. D. W. Baker, of counsel for the respondent, leave is hereby granted the Clerk to issue the mandates in these cases.

668. Walter H. Wills, Petitioner, vs. Norma W. Jones. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. D. W. Baker, in support of the same, and leave was granted. Counsel for respondent to file a printed brief within ten days.

605. Louis Roesel, Appellant, vs. William P. Kink, Sheriff. This cause was submitted to the consideration of the

and printed arguments by Mr. Frank Bergen, of Counsel for the appellant, and Mr. N. C. J. English, of Counsel for the appellee, and leave was granted Counsel for the appellee to file a reply brief within the week.

952. John W. Collier, Admr &c., vs. The United States et al's. Appellant, This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. H. J. May and Mr. A. H. Garland, of Counsel for the appellant, and Mr. Assistant Attorney General Thompson, of Counsel for the appellees.

321. The United States et al, Appts, vs. Moses Fellowill
322. " " " " " " " Emiline Mackey
323. " " " " " " " Daniel S. Leatherwood
324. " " " " " " " Robert Carter
325. " " " " " " " Charles H. Hillson
326. " " " " " " " Mary Scroggins
327. " " " " " " " Fleming P. Jennings
328. " " " " " " " David P. McCracken
329. " " " " " " " Brice Woods

Mr. John Wharton Clark, of Counsel for the appellees, submitted to the Consideration of the Court a motion to advance these cases.

107 of the Term 1897. G. A. Le More & Company, Appellants, vs. The United States. Mr. P. E. Dye submitted to the consideration of the Court a motion for leave to withdraw temporarily the transcript of record in this cause for use in the Court of Claims.

112. Charles G. Smith et al., Appellants, vs. Charles Burnett et al. The argument of this cause was continued by Mr. William G. Hoale, of counsel for the appellees, and concluded by Mr. R. D. Benedict, of counsel for the appellants.

393. The United States, Appellant, vs. Anthony F. Navarro et al. This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. Assistant Attorney General Pradt and Mr. C. C. Binney, of counsel for the appellant, and Mr. J. H. McGowan, of counsel for the appellees.

113. P. M. Adams & E. C. Means, Admrs., Petitioners, vs. Benjamin K. Cowen et al., Trustees. The argument of this cause was commenced by Mr. Lawrence Maxwell, of counsel for the petitioners.

Tuesday, January 10th 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Judson Harmon it is ordered that J. A. Dean, Esquire, of Owensboro, State of Kentucky and Ira M. Belden, Esquire, of Reading, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

113. T. M. Adams and E. C. Means, Admrs., Petitioners, v. Benjamin K. Cowen et al, Trustees. The argument of this cause was continued by Mr. Lawrence Maxwell Jr., of counsel for the petitioners, and Mr. Judson Harmon and Mr. J. J. Hidden, of counsel for the

Maxwell, Jr., of counsel for the petitioners.

353. The State of Ohio, Appellant vs. J. B. Thomas

This cause was argued by Mr. Judson Harmon of counsel for the appellee, and submitted on a printed argument by Mr. C. H. Dodge and Mr. C. J. Renner, of counsel for the appellant.

118. Norton Marshall, Appellant, vs. Peter T. Burke.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. E. Payson, of counsel for the appellant, and Mr. A. H. Garland and Mr. R. C. Garland, of counsel for the appellee.

120. The St. Louis, Iron Mountain & Southern Railway Co. Plff in Error vs. Charles Paul.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John F. Dillon, Mr. W. S. Pope, and Mr. D. D. Duncan, of counsel, for the plaintiff in error, and Mr. A. H. Garland and Mr. R. C. Garland, of counsel for the defendant in error.

Tuesday, January 10th, 1899. Continued.

119. M. J. Nugent, Superintendent &c., vs. Appellant, The State of Arizona Improvement Company.

The argument of this cause was commenced by Mr. Eugene S. Ives, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday January 11th. 1899

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
Horace Gray,
Henry B. Brown, Associate
George Shiras, Jr. Justices
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. 174. Oliver Wendell Holmes, Jr., as Ancillary Executor &c, Appellant, vs. George D. Hurst. On motion of Mr. Andrew Gilhooly, of counsel for the appellee, it is ordered by the Court that this cause be passed temporarily.

No. 176. The United States, Appellant, vs. Thomas R. Morgan. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Pradt, of counsel for the appellant, and Mr. [illegible] Lancaster, of counsel for the appellee.

117. The United States, Plff in Error, vs. Hallen S. Harsha. } This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. Assistant Attorney General Pradt, of counsel for the plaintiff in error, and Mr. Edwin F. Conley, of counsel for the defendant in error.

114. M. J. Nugent, Superintendent &c., Appellant, vs. The State of Arizona Improvement Company. } The argument of this cause was concluded by Mr. Eugene S. Ives, of counsel for the appellee, and the cause was submitted on a printed argument by Mr. L. E. Payson, of counsel for the appellant.

115. J. J. McCook and A. T. Walker, Receivers, Plffs in Error, vs. George R. Wood, Admr &c.

116. J. J. McCook and A. T. Walker, Receivers, Plffs in Error, vs. George R. Wood, Admr &c.

117. J. J. McCook and A. T. Walker, Receivers, Plffs in Error, vs. George R. Wood, Admr &c.

} These cases were argued by Mr. L. F. Parker, of counsel for the plaintiffs in error, and submitted on printed argument by Mr. Owen L. Miles of counsel for the defendant in error.

311. Frederick Hoeninghaus et al, appellants, vs. The United States. This cause was argued by Mr. H. Wickham Smith, of counsel for the appellants, and Mr. Solicitor General Richards of counsel for the appellee.

121. The Northern Pacific Rail Road Company, plff in Error, vs. Neptune Lynch, Sr. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. William Wallace, Jr. of counsel for the plaintiff in error, and leave was granted counsel for the defendant in error to file a brief within twenty days, and to counsel for the plaintiff in error to file a reply thereto within five days thereafter.

122. C. P. Dewey, plff in Error, vs. The City of Des Moines et al. The argument of this cause was commenced by Mr. A. G. Harvey, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, January 7th, 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown — Associate
George Shiras, Jr., — Justices
Edward D. White
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. F. S. Monnett it is ordered that Smith W. Bennett, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. S. Alexander it is ordered that Louis W. Marcus and Frank C. Ferguson, Esquires, of Buffalo, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Mrs. Jalern Castoe et al.,
1145. vs. Appellants.
S. A. Mayes, Principal Chief &c.
Robert A. Anderson et al.,
1146. vs. Appellants,
S. A. Mayes, Principal Chief &c

Mr. S. M. Porter, of Counsel for the appellants, submitted to the consideration of the Court a motion to advance these cases

James P. Simms,
178. vs. Appellant,
Hannah T. Simms

Mr. L. E. Payson, of Counsel for the appellant, suggested the death of James P. Simms, the appellant herein, and it was ordered by the Court that this cause be passed temporarily.

The Baltimore & Ohio Railroad Company, Plff in Error
129. vs.
David Joy, Administrator &c.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Hugh L. Bond, Jr., of Counsel for the plaintiff in error. No Counsel appeared for the defendant in error.

The Missouri Pacific Railway Company, Plff in Error,
135. vs.
The Crowell Lumber & Grain Co.

In Error to the Supreme Court of the State of Nebraska

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the

record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

136. Adolph Cohn, vs. Angelina Daily et al. Appellant, On motion of Mr. M. A. Smith, of Counsel for the appellant, It is ordered by the Court that this cause be passed temporarily.

122. C. P. Dewey, vs. The City of Des Moines et al. Plaintiff in Error, The argument of this cause was continued by Mr. A. E. Harvey, of counsel for the plaintiff in error, and Mr. N. P. Guernsey, of counsel for the defendants in error, and concluded by Mr. A. E. Harvey, of counsel for the plaintiff in error.

123. John A. Lomax, vs. Aquila H. Pickering. Plaintiff in Error, This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. A. Burgett, of counsel for the plaintiff in error, and Mr. John P. Ahrens, of counsel for the defendant in error.

125. John McQuade
vs. } Plff in Error,
The Inhabitants of the City of Trenton

This cause was argued by Mr. David McClure, of Counsel for the plaintiff in error. No Counsel appeared for the defendants in error.

No. The United States,
vs. } Appellant,
Maria de la Paz Valdez de Conway et al
The Town of Real de Dolores del Oro et al.,
132. vs. } Appellants,
The United States et al

These cases were argued by Mr. Walt L. Rives, of Counsel for the United States, and submitted on printed argument by Mr. John H. Knabel, of Counsel for the appellees in No. 86, with leave to file supplemental brief within ten days, and by Mr. A. L. Warren, of Counsel for the appellants in No. 132, with leave to file a brief within ten days.

Eliza Cooper et al.,
134. vs. } Plffs in Error
Edward S. Newell & Clarence B. Smith, Executors &c

The argument of this cause was commenced by Mr. Charles Hume, of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Friday, January 13th 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Matt G. Reynolds it is ordered that Frank Asbury Johnson, Esquire, of Chicago, State of Illinois, and Edwin T. Merrick, Esquire, of New Orleans, State of Louisiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Kaleton it is ordered that Benjamin Alexander, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George S. Edmunds it is ordered that Brain and Avery, Esquires, of Procter, State of Vermont be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

1118. Owensboro National Bank, Plff in Error, vs. City of Owensboro et al
1119. The Deposit Bank of Owensboro, " " " " City of Owensboro et al
150. " " " " " " " " Daviess County et al
151. Farmers & Traders Bank of Owensboro, " " " City of Owensboro et al
356. S. H. Stone, Auditor, et al, Appts, vs. The President &c, Bank of Kentucky
357. City of Louisville, Appt, vs. The President &c, Bank of Kentucky
358. S. H. Stone, Auditor, et al, Appts, vs. The Bank of Louisville
359 City of Louisville, Appt, vs. Bank of Louisville
360. S. H. Stone, Auditor, et al, Appts, vs. The Louisville Banking Co
361. City of Louisville, Appt, vs. The Louisville Banking Co
362. S. H. Stone, Auditor, et al, Appts, vs. The Bank of Commerce
363. City of Louisville, Appt, vs. The Bank of Commerce
364 City of Louisville, Appt, vs. The Third National Bank
365. City of Louisville, Appt, vs. The Citizens National Bank
385. S. H. Stone, Auditor, et al, Appts, vs. The Farmers' Bank of Kentucky
386. The Farmers' Bank of Kentucky, Appt, vs. S. H. Stone, Auditor, et al
387. S. H. Stone, Auditor, et al, Appts, vs. The Deposit Bank of Frankfort
1104. The Third National Bank of Louisville, Appt, vs. S. H. Stone, Auditor, et al
1105. The Citizens National Bank of Louisville, Appt, vs. S. H. Stone, Auditor, et al
1106. The Fidelity Trust & Safety Vault Co, Appt, vs. The City of Louisville
1107. " " " " " " " " S. H. Stone, Auditor, et al
1108. The Louisville Trust Co, Appt, vs. The City of Louisville
1109. " " " " " " " " S. H. Stone, Auditor, et al

It is ordered by the Court that these cases be,

Monday, February 20th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

155. May Hays, Appellant, vs. The United States.
160. The United States, " " Luis Maria Ortiz et al.
200. " " " " " Clarence P. Eden et al.

On motion of Mr. Matt G. Reynolds, of counsel for The United States, It is ordered by the Court that these cases be, and they are hereby, passed subject to the provisions of section 9 of Rule 16.

The Henrietta Mining & Milling Co., Appellant,
139. vs.
Henry Johnson.

On motion of Mr. S. M. Stockslager, leave is hereby granted counsel for the appellee herein to file a printed brief within ten days.

The Washington & Georgetown Railroad Company, Plff in Error,
111. vs.
Leonidas M. Grant.

In Error to the Court of Appeals of the District of Columbia

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of

missed with costs.

Per Mr. Chief Justice Fuller.

143. S. W. Fordyce & A. N. Swanson, Receivers &c., Plffs in Error, vs. R. L. Trigg. On motion of Mr. S. H. West, of counsel for the plaintiffs in error, it is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

134. Eliza Cooper et al., Plffs in Error, vs. Edward S. Merrell & Clarence B. Smith, Executors. The argument of this cause was concluded by Mr. F. Chase Hume, of counsel for the plaintiffs in error, and leave was granted counsel for the defendants in error to file a printed brief hereafter.

133. The Guthrie National Bank, Plff in Error & Appt, vs. The City of Guthrie. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Henry E. Asp and Mr. John W. Shartel, of counsel for the plaintiff in error and appellant, and Mr. John K. Richards, Mr. John L. Lott and Mr. W. F. Hey of counsel for the defendant in error and appellee.

Friday, January 13th, 1899. Continued.

in error and appellant to file an additional brief within ten days and to counsel for the defendant in error and appellee to file a reply thereto within three days thereafter.

137. The First National Bank of Wellington, Ohio, Plff in Error, vs. A. P. Chapman, Treasurer &c. Def in Error,

The argument of this cause was commenced by Mr. W. W. Boynton, of counsel for the plaintiff in error, and continued by Mr. F. S. Monnett, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 16th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that Charles M. Cist, Esquire, of Cincinnati, State of Ohio, and Ramsey Washington, Esquire, of Newport, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. Corliss it is ordered that Samuel N. Foster, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that Wilbur A. Feldler, Esquire, of San Francisco, State of California, and John C. Higdon, Esquire, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. M. Teller it is ordered that Thomas B. Stuart, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

81. The Orient Insurance Company of Hartford, Connecticut, Plff in Error, vs. Robert E. Dagyr. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice McKenna.)

The Washington Gas Light Company, Charles B. Bailey and John Lieb, Plaffs in Error, vs. Thomas G. Lansden. — In Error to the Court of Appeals of the District of Columbia.

113.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby reversed with costs; And that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to that Court to reverse the judgment of the Supreme Court of the District of Columbia and to grant a new trial to the three defendants who were plaintiffs in error in the writ of error sued out from this Court.

Per Mr. Justice Peckham.
(announced by Mr. Chief Justice Fuller)

The Santa Fe, Prescott & Phoenix Railway Company, vs. Joseph Hurley. — In Error to the Supreme Court of the Territory of Arizona.

100.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory

sideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, Affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the Territory of Arizona.

(per Mr. Chief Justice Fuller.)

616. The City of New Orleans, Petitioner, vs. John G. Warner. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(per Mr. Chief Justice Fuller.)

321. The United States et al., Appts, vs. Moses Fallowell.
322. " " " " " " Emiline Mackey.
323. " " " " " " Daniel S. Leatherwood.
324. " " " " " " Robert Carter.
325. " " " " " " Charles H. Hillson.
326. " " " " " " Mary Scroggins.
327. " " " " " " Fleming P. Jennings.

329. The United States et al., Appts., vs. Reuse Wood.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

663. Mary C. Delafield, Petitioner, vs. The Hospital of the Protestant Episcopal Church in Philadelphia et al.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

665. W. Vance Brown et al., Petitioners, vs. The Cranberry Iron and Coal Company.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is

667. John Cadwalader, late Collector &c., Petitioner vs. Charles H. Meyer and Joseph R. Dickinson, as Meyer & Dickinson. On a petition for a writ of Certiorari, to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

115. John J. McCook and Aldace F. Walker, Receivers of The St. Louis & San Francisco Railway Company, Plffs in Error, vs. George K. Wood, Administrator in succession of the estate of James H. Brown, deceased. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirm-

same is hereby, remanded to the Circuit Court of the United States for the Western District of Arkansas.

Per Mr. Chief Justice Fuller.

116. John J. McCoon and Aldace F. Walker, Receivers of The St. Louis & San Francisco Railway Company, Plffs in Error, vs. George R. Wood, Administrator in succession of the estate of William Spoon, deceased

In Error to the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Arkansas.

Per Mr. Chief Justice Fuller.

117. John J. McCook and Aldace F. Walker, Receivers of The St. Louis & San Francisco Railway Company, vs. George K. Wood, Administrator in succession of the estate of William Spoon, deceased. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Arkansas.

Per Mr. Chief Justice Fuller.

126. The United States, vs. Thomas K. Morgan. Appellant, Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in

675. George W. Crossman et al., vs. William Burrill et al. Petitioners. The petition for a writ of certiorari, herein was submitted to the consideration of the Court on printed arguments by Mr. E. P. Wheeler, in support of the same, and Mr. Lawrence Kneeland, in opposition thereto.

677. John Rochm, vs. Paul R. G. Horst et al. Petitioner, The petition for a writ of certiorari herein, was submitted to the consideration of the Court on printed arguments by Mr. Samuel Dickson and Mr. R. C. Dale, in support of the same, and Mr. Frank T. Kneeland, in opposition thereto.

162. The Lackawanna Iron and Coal Company et al., vs. The Farmers' Loan & Trust Co. et al. Petitioners, On motion of Mr. Marcellus Green, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 7 of Rule 16.

667. D. G. Sayers et al., vs. William H. Burkhardt et al. Petitioners. The petition for a writ of certiorari, herein was submitted to the consideration of the Court on printed arguments

and Mr. J. R. Sypher, in opposition thereto.

Ex parte In the matter of Emma S. Fayerweather and Mary W. Ashley, Petitioners.

Mr. Roger M. Sherman, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of certiorari herein.

737. Charles W. Colling et al., Appellants, vs. Louis C. Boyle, Attorney General &c.

Mr. A. H. Horton of counsel for the appellants, submitted to the consideration of the Court a motion to revive this cause in the name of A. A. Godard, Attorney General of the State of Kansas, as the party appellee.

314. The Baltimore & Ohio South-western Railway Co., Plff in Error, vs. William Voight.

On motion of Mr. Charles M. Cist of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, advanced as under the 32d rule.

672. George A. Scott, Petitioner, vs. W. A. Latimer, Receiver &c.

The petition for a writ of certiorari herein was submitted to the consideration of the

in support of the same.

137 The First National Bank of Bellington, Ohio
vs. } In Error
A. P. Chapman, Treasurer.

The argument of this cause was continued by Mr. F. D. Monnett and Mr. S. W. Bonnell, of counsel for the defendant in error, and concluded by Mr. W. W. Boynton, of counsel for the plaintiff in error.

138. The Henrietta Mining & Milling Company,
vs. } Appellant,
Samuel Hill,

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. W. H. Barnes, of counsel for the appellant. No counsel appeared for the appellee.

139. The Henrietta Mining & Milling Company,
vs. } Appellant,
Henry Johnson,

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. W. H. Barnes, of counsel for the appellant, and Mr. E. M. Sanford, of counsel for the appellee, with leave to counsel for the appellant to file a brief in reply within ten days.

116 The Henrietta Mining & Milling Company, Appellant, vs. James D. Gardner,

This cause was argued by Mr. R. A. Johnson, of Counsel for the appellant, and Wm. S. M. Hoeklager, of Counsel for the appellee

124. Oliver Wendell Holmes, Jr., Ancillary Executor &c., Appellant, vs. George D. Hunt,

The argument of this cause was commenced by Mr. Rowland Cox of Counsel for the appellant

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 17th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. A. H. Horton it is ordered that L. C. Boyle, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maxwell Evarts it is ordered that James F. Pierson, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

237. Charles W. Colling et al. v. Appellants. Mr. L. C. Boyle, of counsel for the appellants.

consideration of the Court a motion that this cause abate and leave was granted counsel for the appelant to file brief in opposition thereto within two days.

156. Julian Martinez and Cirila de Sanisteban de Martinez, vs. The United States. Appellants, Appeal from the Court of Private Land Claims.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed.

Per Mr. Chief Justice Fuller.

142. Robert G. Wilson, vs. Eureka City. Plff in Error, This cause was submitted to the consideration of the Court on the record and printed argument by Mr. J. H. M. Whitebottom, of counsel for the plaintiff in error, and Mr. P. L. Williams, of counsel for the defendant in error.

Oliver Wendell Holmes, Jr., Ancillary Executor &c.,
124. vs. Appellant,
George D. Hurst.

This cause was submitted to the consideration of the Court on a printed argument by Mr. Andrew Gilchrist, of counsel for the appellant.

Darwin C. Allen
114. vs. Pltff in Error,
The Southern Pacific R.R. Co.

This cause was argued by Mr. Wilbur F. Zeigler, of counsel for the plaintiff in error, and Mr. Maxwell Evarts, of counsel for the defendant in error, and leave was granted counsel to file supplemental briefs within thirty days.

The Central Loan & Trust Co.,
115. vs. Pltff in Error and Appt,
The Campbell Commission Co.

This cause was argued by Mr. J. W. Shartel, of counsel for the defendant in error and appellee, and submitted on a printed argument by Mr. H. D. Williams, of counsel for the plaintiff in error and appellant.

The Remington Paper Co.,
116. vs. Pltff in Error,
John H. Watson et al

The argument of this cause was commenced by Mr. E. P. Merrick, of counsel for the plaintiff in error. Continued by Mr. Alexander Porter Morse of counsel for the defendants in error, and Mr. E. P. Merrick, of counsel for the plaintiff in error.

Wednesday January 8th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
Henry B. Brown, Associate
George Shiras, Jr. Justices
Edward D. White.
Joseph McKenna.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. T. Michener it is ordered that Lester S. Wilson, Esquire, of Walla Walla, State of Washington, and Ossian Franklin Paxton, Esquire, of Portland, State of Oregon, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Charles Payne Fenner, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Mr. C.W. Bunn it is ordered that E.J. Hamilton Esquire, of Niles, State of Michigan, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

186. Theophilus King, adverse claimant &c., Plff in Error
vs.
John A. Cross et al.,

On motion of Mr. John B. Colton, in behalf of Counsel,

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 16.

158. Mariano S. Otero, Appellant,
vs.
The United States

Appeal from the Court of Private Land Claims.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the tenth rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller

159. The German Insurance Co., of Freeport, Ill.,
vs.
The First National Bank of

Plff in Error,

This cause was submitted to the consideration of the Court on the record

gument by Mr. A. S. Belmore, of counsel for the plaintiff in error, with leave to counsel for the defendant in error to file brief within twenty days, and to counsel for the plaintiff in error to file a reply thereto within ten days thereafter.

163. Rio Grande Irrigation & Colonization Company, vs. Pltff in Error, Charles N. Gildersleeve, } It is ordered by the Court that this cause be and the same is hereby passed to be heard with Case No. 201, as one case, per stipulation of counsel.

1116. The Remington Paper Co., vs. Pltff in Error, John H. Halcon et al, } The argument of this cause was concluded by Mr. E. F. Merrick, of counsel for the plaintiff in error.

1117. The Atchison, Topeka & Santa Fé Railroad Co., vs. Pltff in Error, H. P. Matthews et al } This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Robert Dunlap and Mr. E. D. Kenna, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

152. City of Covington, vs. Pltff in Error, } This cause was submitted to the Consider-

the record and printed argument to by Mr. William Goebel of counsel for the plaintiff in error and Mr. Ramsey Washington and Mr. W. S. Taylor, of counsel for the defendant in error.)

154. The Northern Pacific Railway Co. vs. Riff in Error, James De Lacey. This cause was argued by Mr. C. W. Bunn, of counsel for the plaintiff in error, and submitted on printed arguments by Mr. W. H. Seibert, of counsel for the defendant in error, and Mr. Solicitor General Richards for the United States, by special leave.

153. J. K. Mullen et al., vs. Riff in Error, The Western Union Beef Co. This cause was argued by Mr. Thomas B. Stuart, of counsel for the plaintiffs in error, and submitted on a printed argument by Mr. O. S. Thomas and Mr. W. H. Bryant of counsel for the defendant in error.

161. The United States, vs. Appellant, The Bellingham Bay Boom Co. This cause was submitted to the consideration of the Court on the record with leave to counsel for the appellant to file briefs within twenty days and counsel for the appellee within ten days thereafter.

Wednesday, January 8th, 1879. Continued

1614 Joe Kirby
v. Writ in Error
The United States.

It is ordered by the Court that this cause be passed temporarily.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, January 19th, 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened,

On motion first made to the Court in this behalf by Mr. Thomas H. Clark it is ordered that Walter Percy, Esquire, of Birmingham, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly,

On motion first made to the Court in this behalf by Mr. E. M. Newell it is ordered that Wilford A. Smith, Esquire, of Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly,

Thursday, January 9th, 1879. Continued.

167. Philip T. Woodfin, Appellant, vs. The Hampton and Old Point Railway Company, James S. Darling Appellee. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause having been called for hearing in its regular order, and an authority of counsel for the appellant to dismiss this cause having been filed. Therefore, in pursuance of said authority, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

171. John A. Gordon, Appellant, vs. The United States. It is ordered by the Court that this cause be and the same is hereby continued until the next term, per stipulation of counsel.

172. Thomas Cosgrove, Appellant, vs. Eugene D. Winney, U.S. Marshal &c. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. E.H. Sellers, of counsel for the appellant, with leave to counsel for the appellee, to file a brief within ten days.

182. George L. Whitman, vs. The National Bank of Oxford. Petitioner,

On motion of Mr. A. B. Browne, in behalf of counsel, it is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 26.

153. J. K. Mullen et al. vs. The Western Union Beef Co. Plffs in Error,

On motion of Mr. H. H. Bryant, of counsel for the defendant in error, leave is hereby granted him to file a supplemental brief, herein within five days.

Seth Carter, vs. The State of Texas. Plff in Error,

Mr. Wilford H. Smith, of counsel for the plaintiff in error, submitted to the Consideration of the Court a motion for leave to docket this cause and prosecute the same in forma pauperis.

168. Mrs. Bettie Allen, individually &c, et al, vs. Ogden Smith, Co-Executor &c, et al. Plffs in Error,

176. Ogden Smith, Co-Executor &c, et al, vs. Mrs. Widow Bettie Allen, individually &c, et al. Plffs in Error,

These cases were argued by Mr. James F. Pierson, of counsel for Mrs. Allen et al., Mr.

Thursday, January 19th, 1899, Continued.

Tenney, of counsel for Ancoin, Admr &c., and Mr. Henry Chiapella, of counsel for Ogden Smith, et al.

1711. Frank A. Pierce, vs. The Tennessee Coal, Iron & Railroad Company. Petitioner, Respondent.

The argument of, this cause was commenced by, Mr. Walker Percy, of counsel for the

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, January 20th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. J. E. Markham it is ordered that Harris Richardson, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

686. Seth Carter, Plff in Error, v. The State of Texas. On consideration of the motion for leave to docket this cause and prosecute the same in forma pauperis, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Friday, January 20th, 1899, Continued.

141. Sterling R. Holt et al., Appellants, vs. The Indiana Manufacturing Company. On motion of Mr. E. W. Bradford, in behalf of Counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 26

174. Frank A. Pierce, Petitioner, vs. The Tennessee Coal, Iron & Railroad Company. The argument of this cause was concluded by Mr. Walker Percy, of Counsel for the respondent, and the cause was submitted on a printed argument by Mr. W. A. Gunter, of Counsel for the petitioner.

175. The Keokuk & Hamilton Bridge Co., Plff in Error, vs. The People of the State of Illinois. 23. The Keokuk & Hamilton Bridge Co., Plff in Error, vs. The People of the State of Illinois. These cases were argued, by Mr. Walter D. Davidge, of Counsel for the plaintiff in error, and submitted on printed arguments by Mr. P. T. Hughes, of Counsel for the plaintiff in error in case No. 23, and Mr. E. C. Akin, of Counsel for the defendants in error.

187. The First National Bank of Concord, N. H. vs. Edward Hawkins, Receiver. In Error. This cause was argued by Mr. John G. Carlisle, of counsel for the defendant in error, and submitted on a printed argument by Mr. F. S. Streeter, of counsel for the plaintiff in error, and leave was granted Counsel for the plaintiff in error to file a supplemental brief within five days.

180. Calvin A. Calhoun, Appellant, vs. Oscar A. Violet. This cause was submitted to the consideration of the Court on the Record and a printed argument by Mr. Calvin A. Calhoun, in propria persona. No counsel appeared for the appellee.

164. Joe Kirby vs. The United States. In Error. This cause was argued by Mr. A. G. Safford, of counsel, for the plaintiff in error, and Mr. Assistant Attorney General Boyd, of counsel for the defendant in error, and leave was granted Counsel for the defendant in error to file a brief within five days, and to Counsel for the plaintiff in error to file reply thereto within three days thereafter.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 23d. 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown — Associate
George Shiras, Jr. — Justices
Edward D. White
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Waller S. Logan it is ordered that Robert L. Owen, Esquire, of Muscogee, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. F. Shafroth it is ordered that John H. Dixon, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. S. Hopkins it is ordered that David S. Baker,

be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. C. Krauthoff it is ordered that Oliver M. Spencer, Esquire, of St. Joseph, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Northern Pacific Railway Company, Appellant, vs. William V. Myers, Treasurer of Jefferson County, Montana. No. 94. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Montana with directions to proceed in conformity with the mandate of the United States Circuit Court of Appeals.

Per Mr. Justice McKenna.

Dissenting: Mr. Justice Brewer, Mr. Justice Shiras,

127. The United States, Plff in Error, vs. Hallen S. Halsha. On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the affirmative and the second in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Gray.

Ex parte In the matter of Emma S. Tayerweather and Mary W. Ashler, Petitioners. On consideration of the motion for leave to file a petition for a writ of certiorari herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Harlan.

(The Chief Justice took no part in the consideration and decision of this motion.)

The Chief Justice announced that the Court will adjourn on Monday, the 30th instant to Monday, February 20th next.

668. Waller H. Hills, Petitioner, vs. Norma H. Jones. On petition for a writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of Certiorari, herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same; It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

237. Charles H. Colling et al., Appellants, vs. Louis C. Boyle, Attorney General of the State of Kansas. On consideration of the motion to revive this cause in the name of A. A. Godard, Attorney General of the State of Kansas, as the party appellee, and of the motion that this cause abate, which were argued by counsel, It is now here ordered by the Court that A. A. Godard, Attorney General of the State of Kansas, be, and he is hereby, substituted as the party appellee in this cause, without prejudice to consideration of the question of abatement.

It is further ordered that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

Per Mr. Chief Justice Fuller.

662. D. G. Sayers et al., Petitioners. vs. William H. Burkhardt, et al. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

672. George A. Scott, Petitioner, vs. W. A. Latimer, Receiver &c. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

675. George W. Crossman et al., Petitioners vs. William Burrill et al. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

herein to the United States Circuit Court of Appeals for the Second Circuit, and of the arguments of Counsel thereupon had, as well in support of as against the same, It is nowhere ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

677. John Rochm, Petitioner, vs. Paul R. G. Horst et al. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is nowhere ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

974. Oliver Wendell Holmes, Jr., Ancillary Executor &c., Appellant, vs. George D. Horst. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument.

per Mr. Chief Justice Fuller.

110. Henry C. King, Petitioner, vs. Julius C. Williamson, et al. On writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of West Virginia.

Per Mr. Chief Justice Fuller.

605. Louis Roesel, Appellant, vs. William T. Kirk, Sheriff of Union County, New Jersey. Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Monday, January 23d, 1899. Continued

The First National Bank of Grand Forks, North Dakota, Plff in Error, vs. Alexander Anderson. In Error to the Supreme Court of the State of North Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Dakota, and on motion to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

The United States ex rel. Alfred Bernardin, Plff in Error, vs. Charles H. Duell, Commissioner of Patents. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

199. The United States, Appt, vs. Thomas B. Wilson et al.
207. The United States, Appt, vs. J. Francisco Chaves et al.
208. The United States, Appt, vs. J. Francisco Chaves et al.

On motion of Mr. Solicitor General Richards, of counsel for the appellant, It is ordered by the Court that these cases be, and they are hereby, passed temporarily.

689. Li Sing, Petitioner vs. The United States. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. William C. Beecher, in support of the same.

641. The American National Bank of Denver, Petitioner, vs. The Northwestern Mutual Life Insurance Company. The petition for a writ of certiorari herein, was submitted to the consideration of the Court on a printed argument by Mr. Thomas J. O'Donnell and Mr. Milton Smith, in support of the same, and leave was granted counsel for the respondent to file brief in opposition thereto within five days.

190. The United States, Plff in Error, vs. One Distillery Etalia, Henry Counsel for the defend-

On motion of Mr. S. G. Milborn, in behalf of

by the Court that this cause be, and the same is, hereby, passed, subject to the provisions of section 9 of Rule 26.

Harry W. Dickerman, Trustee, et al., Petitioners.
vs.
1980. The Northern Trust Co., et al.

On motion of, Mr. Otto Gresham, of Counsel for the petitioners, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of, Rule 26

The Chicago, Rock Island & Pacific Railway Company, Petitioner,
vs.
681. The St. Joseph Union Depot Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. L. C. Krauthoff, in support of the same, and Mr. C. A. Keenan, Mr. W. P. Hall, Mr. O. M. Spencer and Mr. Frank Hagerman, in opposition thereto.

William Henry Saville, Claimant, Petitioner,
vs.
687. The American Sugar Refining Co.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. Parker Kirlin, in support of the same, and Mr. Harrington

1911. James Knott, Petitioner, vs. Botany Worsted Mills et al. On motion of Mr. Thomas K. Clark, in behalf of Counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of Section 7 of Rule 36.

914. James L. Utter et al., Appellants, vs. B. J. Franklin, Governor, et al. Mr. Frederic D. McKenney, in behalf of Counsel for the appellants, submitted to the consideration of the Court a motion that the judgment entered by this Court in this cause be, entered nunc pro tunc as of a date prior to November 18th, 1897.

661. Richard P. Caffrey, County Clerk etc., Plff in Error, vs. The Territory of Oklahoma & ors, Defendant in Error. Harper S. Cunningham, Attorney General. Mr. Frederic D. McKenney, in behalf of counsel, for the plaintiff in error and appellant, submitted to the consideration of the Court a motion for leave to give a supersedeas bond herein.

198. Blanche K. Towson et al., Appellants vs. Christiana V. Moore et al. On motion of Mr. A. H. Garland, of Counsel, for the appellants, leave

file a stipulation of Counsel as to the value of the matter in dispute in this cause.

337. The Florida Central & Peninsular Railroad Company, Plff in Error vs. William J. Bell et al

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. N. Bisbee, in support of the same, and Mr. J. C. Cooper, in opposition thereto.

335. Annie R. Kean, Plff in Error, vs. Edward Roby et al

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Edward Roby, in support of the same, and Mr. William P. Pennell, in opposition thereto.

188. The Security Trust Co., Assignee, Plff in Error vs. Frank N. Dodd et al

This cause was argued by Mr. James E. Mantham, of Counsel for the defendants in error, and submitted on a printed argument by Mr. E. S. Durment, of Counsel for the plaintiff in error.

Monday, January 23d, 1899, Continued.

1899.

The Sioux City Terminal Railroad & Warehouse Co., Petitioner,
vs.
The Trust Company of North America.

The argument of this cause was commenced by Mr. Henry J. Ridgely, of Counsel for the Petitioner, and continued by Mr. Asa P. Call, of Counsel for the Respondent.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 9th, 1894

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

173. The Anglo-Californian Bank, Limited, Appellant, vs. The Secretary of the Treasury. On motion of Mr. William Pinckney Whyte, in behalf of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4 of Rule 16.

27. Abram W. Hendry et al., Appellants, vs. Ocean Steamship Company. On motion of Mr Eugene P. Carver, of counsel for the appellants, It is ordered by the Court that this cause be, and the

Monday, February 20th next, after the cases heretofore assigned for that day.

202. New Hing Lung & Co., Petitioners, vs. John A. Wise, Collector &c. On motion of Mr. A. S. Browne, of counsel for the petitioners, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 4 of Rule 16.

176. The United States, Appellant, vs. Thomas R. Morgan. On motion of Mr. C. C. Lancaster, of counsel, for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

201. The Union Pacific Railway Company, Plff in Error, vs. David Gochenauer, Mary L. Gochenauer, his wife, Hill P. Wilson et al. In Error to the Supreme Court of the State of Kansas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with

925. Francis G. Posey, Serena B. Williams, Louisa Edwards et al, Affts in Error, vs. Julia Hanson. In Error to the Court of Appeals of the District of Columbia.

This cause having been called for hearing in due regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

192. The Sioux City Terminal Railroad & Warehouse Co., Petitioner vs. The Trust Company of North America. The argument of this cause was concluded by Mr. John C. Coombs, of Counsel for the petitioner.

687. Li Sing, Petitioner vs. The United States. On motion of Mr. Solicitor General Richards, of Counsel for the respondent, leave is hereby granted counsel for the respondent to file brief for the respondent herein on or before Friday next.

No. William F. Gilbert, Receiver &c, vs. Appellant, The Washington Beneficial Endowment Association et al.

The argument of this cause was commenced by Mr. A. D. Hotchkiss of Counsel for the Appellant, and continued by Mr. A. A. Lipscomb and Mr. S. F. Phillips, of Counsel for the Appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, January 25th, 1899.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown } Associate
George Shiras Jr. } Justices
Edward D White
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Maryland;
James A. McKenney, Esq.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that William Edwin Ulmer, Esquire, of Boston, State of Massachusetts be admitted to practice, as an attorney and Counsellor of this Court and he was sworn accordingly.

No. 211. C. A. Bosworth, Receiver &c., Petitioner. vs. Terminal Railroad Association of St. Louis.

This cause was submitted to the Court for consideration on the record and printed arguments by Mr. Bluford Wilson and Mr. P. B. Warren of Counsel for the petitioner, and Mr.

and Mr. S. P. Wheeler, of counsel for the respondent.

213. The Crystal Springs Land & Water Co., et al., vs. The City of Los Angeles. Appellants. On motion of Mr. Thomas B. Burke, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

40. William P. Gilbert, Receiver &c., vs. The Washington Beneficial Endowment Association et al. Appellant. The argument of this cause was continued by Mr. S. P. Phillips, of counsel for the appellees, and concluded by Mr. Thomas M. Fields, of counsel for the appellant.

197. Frederick Bausman, Receiver &c., vs. Samuel Dixon. Plff in Error. This cause was argued by Mr. Frederick Bausman, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. J. E. Humphries and Mr. Edward P. Edson, of counsel for the defendant in error.

195. Blanche K. Towson et al., Appellants, vs. Christiana V. Moore et al. The argument of this cause was commenced by Mr. Franklin A. Mackey, of counsel for the appellants, and continued by Mr. Charles A. Cragin, of counsel for the appellees, and Mr. A. H. Garland, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, January 26th 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras Jr.,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. Solicitor General Richards it is ordered that Joseph S. Doran, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Rush Taggart it is ordered that Arthur H. Masten, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

164. Joe Kirby, Plff in Error, vs. The United States. On motion of Mr. Solicitor General Richards, It is ordered by the Court that

the time for the defendant in error to file a brief here in be, and the same is hereby, extended to the 30th instant.

194. Oliver Wendell Holmes, Jr., Ancillary Executor &c., Appellant, v. George D. Hazet. On motion of Mr. Eugene P. Carver, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, assigned for re-argument on Monday, February 20th next, after the cases heretofore assigned for that day.

290. Robert B. T. Pierce, as Receiver of The Toledo, St. Louis & Kansas City Railroad Company, Plff in Error, v. Edward Van Etten. In Error to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause having been called for hearing in its regular order, and a stipulation to dismiss, this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

195. Blanche K. Towson et al., Appellants, v. Christiana V. Moore et al. The argument of this cause was concluded by Mr.

A. H. Garland, of counsel for the appellants.

706. S. R. Cockrill, Receiver &c., vs. Plff in Error, The United States National Bank of New York. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 26.

709. Frank M. Rider et al., vs. Plffs in Error, The United States. The argument of this cause was commenced by Wm. H. H. Southard, of counsel for the plaintiffs in error, and continued by Mr. George A. Gorman, of counsel for the defendant in error.

Mr. Attorney General Griggs addressed the Court as follows:

May it please the Court:

It is my sad duty to announce to the Court the sudden death of an ex-Attorney General of the United States - Augustus Hill Garland. The sudden and unexpected death of this distinguished man comes with a shock of surprise to those of us who have heard of it, but undoubtedly it came to those of this Court who witnessed his seizure. He was a man so distinguished in his profession, so distinguished

officially and professionally with this Court, to the last moment of his life, that I deem it proper to suggest to the Court that out of respect to his memory they should take a recess until to-morrow, and I make that motion.

The Chief Justice responded:

The Court receives the information of the death of Mr. Garland with sincere sorrow, and fully concurs in the suggestion that has been made. As a mark of respect to the memory of this distinguished member of the bar and eminent public servant, an adjournment will be taken until tomorrow at the usual hour.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, January 27th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. Treadwell Cleveland it is ordered that Charles Potter Kling, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Joseph W. Bailey it is ordered that Robert L. Parrish, Esquire, of Covington, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

127. The United States, Plff in Error, vs. Walter S. Marsha — On motion of Mr. Solicitor General Richards, case is hereby granted

mandate in this cause.

605. Louis Roesel, Appellant, vs. William P. Kirk, Sheriff &c. On motion of Mr. L. E. Payson, in behalf of Counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

695. Henry L. Nelson, Plff in Error, vs. William Blanding et al Mr. L. E. Payson, of Counsel for the defendants in error, having filed in open Court the following certificate, to wit

"In the Circuit Court of the United States In and for the Northern District of the State of California.

Henry L. Nelson, Plaintiff.

vs. No. 688.

William Blanding et al, Defendants.

I, Southard Hoffman, Clerk of the Circuit Court of the United States in and for the Northern District of California, do hereby certify that in a certain cause pending in said Circuit Court, wherein Henry L. Nelson was plaintiff, and William Blanding, Theodore Leroy, John Doe, Richard Roe, John Brown and Thomas Green were defendants, a judgment was duly given, made and rendered by said Circuit Court on the 28th day of August, 1868, in favor of the said defendants, and against the said plaintiff, and that said judgment was duly entered,

Court on the 1st day of September, 1868; and that, on the 7th day of November, 1868, a writ of error to the Supreme Court of the United States was duly sued out by the plaintiff in said cause and allowed by said Circuit Court.

In witness whereof, I have hereunto subscribed my name, and affixed the seal of said Circuit Court at San Francisco, California, this 20th day of January, 1899.

(Seal)

Southard Hoffman
Clerk of the Circuit Court of the United States, Northern District of California."

moved the Court to docket and dismiss this cause, pursuant to the 6th rule: and it appearing to the Court that the plaintiff in error has failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States, for the Northern District of California be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per M. Chief Justice Fuller.

Henry L. Nelson
vs. Pfff in Error,
6/5.

On motion of Mr. L.E. Payson, of counsel for the defend-

granted the Clerk to issue the mandate in this cause.

197. Frederick Bausman, Receiver &c., Pltff in Error, vs. Samuel Dixon. On motion of Mr. Frederick Bausman, of Counsel for the Plaintiff in error, leave is hereby granted him to file a Supplemental brief herein.

209. Frank M. Rider et al., Pltffs in Error, vs. The United States. The argument of this cause was continued by Mr. George A. Gorman, of Counsel for the defendant in error, and concluded by Mr. S. M. Clement of Counsel for the plaintiffs in error.

222. The Texas & Pacific Railway Co., Pltff in Error, vs. John Henry Clayton et al. The argument of this cause was commenced by Mr. Rush Taggart, of Counsel for the plaintiff in error, continued by Mr. Treadwell Cleveland, of Counsel for the defendants in error, and concluded by Mr. Arthur N. Moulton, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 30th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Joseph McKenna, Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas H. Carter it is ordered that John A. Shelton, Esquire, of Butte, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. M. Russell it is ordered that Fielder C. Slingluff, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas B. Turley it is ordered that L. Lehman, Esquire, of Memphis, State of Tennessee, be ad-

of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. J. B. Fraker, Jr, it is ordered that A. A. McKeehan, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Mason it is ordered that A. L. Stewelling, Esquire, of Crystal Falls, State of Michigan, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alex. Pope Humphrey it is ordered that George B. Yerkes, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Ralston it is ordered that Julius C. Lewis, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

118. Norton Marshall, Appellant, vs. Peter T. Burke. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Justice McKenna.

183. The Connecticut Mutual Life Insurance Company, Plff in Error, vs. Linda Y. Spratley. In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

Per Mr. Justice Peckham.
(Announced by Mr. Chief Justice Fuller.)

and decision of this case.)

311. Frederick Hoeninghaus and Henry W. Curties, vs. The United States. Appellants, } On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified must be answered in the affirmative. Whereupon, It is now hereby ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Peckham.

125. John McQuade vs. The Inhabitants of the City of Trenton. Plff in Error, } In Error to the Court of Errors and Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error

for the want of jurisdiction.

per Mr. Justice Brown.

17. Frances Rebecca Hamilton, Plff in Error, vs. Grace Abbie B. Rathbone. It is ordered by the Court that this cause be, and the same is hereby restored to the docket for reargument before a full bench, and the attention of counsel is particularly directed to the question of the effect of the Revised Statutes on previous legislation.

per Mr. Chief Justice Fuller.

94. James L. Ulter et al., Appellants, vs. B. J. Franklin, Governor, et al. It is ordered by the Court that the further consideration of the motion to enter the judgment of this Court in this cause nunc pro tunc as of a date prior to November 18th, 1897, be, and the same is hereby postponed until notice thereof is given to Appellees.

per Mr. Chief Justice Fuller.

332. The Florida Central & Peninsular Railroad Company, Plff in Error, vs. William J. Bell et al. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

661. Richard F. Caffrey, County Clerk &c., v. Affirmed 4/24/99
The Territory of Oklahoma ex rel. Harper S. Cunningham, Attorney General.

It is ordered by the Court that the further consideration of the motion for leave to give a supersedeas bond herein be, and the same is hereby, postponed until the transcript of record is printed.

Per Mr. Chief Justice Fuller.

681. The Chicago, Rock Island & Pacific Railway Company, Petitioner, vs. The St. Joseph Union Depot Company.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Monday, January 30th, 1899, Continued.

687. William Henry Saville, Claimant, vs. The American Sugar Refining Company. Petitioner

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

689. Li Sing, vs. The United States. Petitioner.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller

691. The American National Bank of Denver, Petitioner, vs. The Northwestern Mutual Life Insurance Company. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

647. The United States, Appellant, vs. The New York Indians. The motion for an order to the Court of Claims to make additional findings, of fact herein was submitted to the consideration of the Court by Mr. Solicitor General Richards, in support of the same, and leave was granted Counsel for the appellees to file their brief in opposition thereto on or before February 10th.

690. William Pelzer, Petitioner, vs. Horn & Brannen Manufacturing Company. The petition for a writ of certiorari herein was submitted to the consideration of the Court

by Mr. Richard N. Dyer, in support of the same and Mr. Nestor T. Fenton, in opposition thereto.

671. Henry R. Eagle, Petitioner, vs. Pillsbury Washburn Flour, Miles Company et al. The petition for a writ of certiorari herein, was submitted to the consideration of the Court on printed arguments by Mr. E. O. Brown, in support of the same, and Mr. Frank T. Reed, in opposition thereto.

691. George Hibbard et al., Petitioners. vs. The Baltimore Building & Loan Association. The petition for a writ of certiorari herein, was submitted to the consideration of the Court on a printed argument by Mr. Henry M. Russell, in support of the same, with leave to counsel for the respondent to file brief in opposition thereto, within ten days.

699. Carnegie Steel Company, Limited, Petitioner, vs. The Chesapeake, Ohio & Southwestern Railroad Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Alexander Pope Humphrey and Mr. George M. Davie, in support of the same, and Mr. E. F. Trabue, Mr. James Fentress, Mr. A. H.

Joline and Mr. J. S. Little, in opposition thereto.

1153. The Choctaw Nation, Appt. vs. F. A. Robinson
1149. " " " " " Joanna Mickle et al.
1150. " " " " " John Skaggs.
1151. " " " " " Mary Godard et al.
1152. " " " " " James M. Grady et al
582. " " " " " Martha Jones et al
583. " " " " " Charles Goodall et al.
584. " " " " " F. P. Bottoms et al.
585. " " " " " George W. Brooks et al.
586. " " " " " L. L. Blake et al.
587. " " " " " Dick Kindrick et al.
588. " " " " " Robert Goins et al.
589. " " " " " Henry Dutton et al.
590. " " " " " Wm. L. Thomas et al
591. " " " " " A. H. Jones et al
1138. Samuel C. Caldwell et al, Appts. vs. The Choctaw Nation
1147. Moses C. Clark et al, " " " " "
1167. Jack Amos et al, " " " " "
578. Susan S. Bennight et al, " " " " "
643. J. H. Cole, " " " " "
644. M. A. Cundiff et al, " " " " "
645. Eliza A. Alexander et al, " " " " "
646. F. F. Willis et al, " " " " "
647. C. M. Coppedge, " " " " "
648. Emma Nabors et al, " " " " "

On motion of Mr. J. M. Wilson, of counsel for The Choctaw Nation, It is ordered by the Court that these cases be, and they are hereby, advanced and assigned for argument as one case on Monday, February.

30th next, after the cases heretofore assigned for that day.

1115. Mrs. Joslenn Castoe et al., Appellants, vs. S. N. Mayes, Principal Chief &c.

1116. Robert H. Anderson et al., Appellants, vs. S. N. Mayes, Principal Chief &c.

527. George F. Peery et al., Appellants, vs. The Chickasaw Nation.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument on Monday, February 20th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

651. The United States, Appellant, vs. Henry D. Hayden.

Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

The Milburn Sewing Machine Company et al.,
vs.
The Williamson Sewing Machine Company et al.

No. 312.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. L. Lehman and Mr. C. W. Metcalfe in support of the same, and Mr. W. M. Randolph in opposition thereto.

The City of New Orleans, Petitioner,
vs.
John G. Waterman.

No. 1110.

Mr. William Grant, of counsel for the respondent, submitted the consideration of the Court a motion to advance this cause.

S. N. H. Winchell et al., Receivers, &c.,
vs.
Wm. Dunn,
The City of Kansas City, Kansas.

No. 102.

On motion of Mr. Frederic D. McKenney, in behalf of respondent, Case, it is hereby granted the Clerk to issue the mandate in this cause.

John H. Blythe et al.,
vs.
Appellants,
Florence Blythe Hinckley.

No. 367.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Frederic D. McKenney, Mr. W. H. H. Hart, Mr. John Goode and Mr. Robert J. Hayne, in sup

Holladay, Mr. Jeff. Chandler and Mr. L. D. McKisick, in opposition thereto.

673. D. Albert Hillen et al., Petitioners, vs. Caroline A. Ladd et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. B. Browne, Mr. A. T. Britton and Mr. P. F. Galpin, in support of the same, and Mr. C. E. S. Wood, and Mr. C. A. Dolph, in opposition thereto.

654. The United States, Appellant, vs. Henry L. Hayden. On motion of Mr. C. C. Lancaster, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

676. Robert R. Rhodes et al., Petitioners, vs. Lucius P. Mason et al. And The Interlake Transportation Company et al., Petitioners, vs. Lucius P. Mason et al. 673. The petitions for writs of certiorari in these causes were submitted to the consideration of the Court on printed arguments by Mr. F. H. Canfield and Mr. Harvey D. Goulder in support of the same in No. 676, and Mr. A. A. McKechan and Mr. James H. Hoyt, in support of the same in No. 673, and by Mr. C. E. Kremer,

303. Charles E. Pope, Receiver &c., Appellant, vs. The Louisville, New Albany & Chicago Railway Co.

Motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. G. W. Kretzinger, Mr. A. W. Blodgett and Mr. E. C. Field, in support of the same, and Mr. John S. Miller, in opposition thereto.

Proclamation being made the Court is adjourned until Monday, February 20th. next at twelve o'clock

Monday, February 20th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that David F. Pugh, George K. Nash and Talfourd P. Linn, Esquires, of Columbus, State of Ohio, and Asa W. Waters, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. H. H. McPherson it is ordered that George A. Provost, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney

accordingly.—

On motion first made to the Court in this behalf by Mr. Wallis S. Logan it is ordered that John H. Viney, Esquire, of Southport, State of Connecticut, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.—

On motion first made to the Court in this behalf by Mr. R. Andrews it is ordered that William C. Graham, Esquire, of Sheridan, State of Wyoming, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.—

On motion first made to the Court in this behalf by Mr. George F. Hoar it is ordered that Joseph F. Gould, Esquire of Old Town, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Sidney Webb it is ordered that A. G. M. Robertson, Esquire, of Honolulu, Hawaiian Islands, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Heber J. May it is ordered that Milton M. Edmiston, Esquire, of Vinita, Indian Territory, be admitted to practice as an attorney and

Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Clark it is ordered that Duncan Upshaw Fletcher, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James F. Smith it is ordered that John F. Kinney, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. McGowan it is ordered that Charles Hartzell, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. T. Hutchings it is ordered that C. C. Potter, Esquire, of Gainesville, State of Texas, and J. C. Thompson, Esquire, of Ardmore, Indian Territory, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

by Mr. J. J. Helm it is ordered that Frank Chinn, Esquire, of Frankfort, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alex. Pope Humphrey it is ordered that H. H. Julian, Esquire, of Frankfort, and W. M. C. D. Shaw, Esquire, of Covington, State of Kentucky be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ed. Baxter it is ordered that James J. McLoughlin, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Robert G. Wilson,
Plff in Error,
vs.
Eureka City.

In Error to the Supreme Court of the State of Utah

No. 142.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, af-

The Henrietta Mining and Milling Company, Appellant, vs. James L. Gardner. Appeal from the Supreme Court of the Territory of Arizona.

140.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in accordance with the opinion of this Court.

Per Mr. Justice McKenna.

The United States, Appellant, vs. Anthony F. Navarre and eighty-nine other members of the Pottawatomie Tribe of Indians. Appeal from the Court of Claims.

248.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice McKenna.

John H. Collier, Administrator
of James E. Ramek, deceased,
Appellant,
v.
The United States to the use of
Indians.

Appeal from the
Court of Claims.

252.

This cause came on to be heard on the transcript
of the record from the Court of Claims, and was
argued by Counsel. On consideration whereof
it is now here ordered and adjudged by this
Court that the judgment of the said Court of Claims
in this cause be, and the same is hereby, affirmed
with costs.

Mr. Justice White
delivered the opinion
of the Court.

Calvin A. Calhoun,
Appellant,
v.
Oscar H. Violett.

Appeal from the Supreme
Court of the Territory of
Oklahoma.

180.

This cause came on to be heard on the transcript
of the record from the Supreme Court of the Terri-
tory of Oklahoma, and was argued by Counsel.
On consideration whereof, It is now here ordered,
adjudged, and decreed by this Court that the de-
cree of the said Supreme Court in this cause be
and the same is hereby affirmed with costs.

Mr. Justice White
delivered the opinion
of the Court.

145. The Central Loan & Trust Company, Plff in Error & Appt, vs. The Campbell Commission Company.

In Error to & Appeal from the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr Justice White.

147. The Sioux City Terminal Railroad & Warehouse Company, Credits Commutation Company, E. N. Hubbard, Trustee, et al., Petitioners vs. The Trust Company of North America

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued

now here ordered, adjudged, and decreed by this Court that the decree of the Circuit Court of the United States for the Northern District of Iowa and of the said United States Circuit Court of Appeals in this cause be, and the same are, hereby, affirmed with costs. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Iowa.

Per Mr. Justice White.

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114. The Green Bay & Mississippi Canal Company, Plff in Error, vs. The Patten Paper Company, Limited, et al. } On consideration of the petition for a rehearing in this cause, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice White.

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109. Edwin A. McIntire and Martha McIntire, vs. Mary O. Pryor, } Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here

that the decree of the said Court of Appeals in the cause be, and the same is hereby, affirmed, with costs.

(per Mr. Justice Brown.)

123. John A. Lomax, Plaintiff in Error, vs. Aquila A. Pickering. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice Brown.)

174. Frank A. Pierce, Petitioner, vs. The Tennessee Coal, Iron & Railroad Company. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals and the judgment of the Circuit Court

Alabama in this cause, and it is ordered, adjudged and decreed by this Court that the decree of the said Circuit Court of the United States for the Northern District of Alabama in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Alabama, for further proceedings in conformity with the opinion of this Court.

(Per Mr. Justice Gray.)

Blanche K. Towson, Edith G. Graham, Minnie C. Towson et al., Appellants, vs. Christiana V. Moore, Frederick L. Moore, Julian T. Russell et al. } Appeal from the Court of Appeals of the District of Columbia.

198.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed, with costs.

(Per Mr. Justice Gray.)

The Lake Shore & Michigan Southern Railway Company, Plff in Error, vs. The State of Ohio ex rel. George L. Lawrence. } In Error to the Supreme Court of the State of Ohio.

95.

the record from the Supreme Court of the State of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Harlan.)

Dissenting:
Mr. Justice Shiras,
Mr. Justice Brewer,
Mr. Justice White and
Mr. Justice Peckham.

177. The Board of County Commissioners of the County of Lake, Colorado, Petitioner, vs. Harvey A. Dudley. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals and the judgment of the Circuit Court of the United States for the District of Colorado in this cause, &c., and the same are hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Dis-

sistent with the opinion of this Court.

Per Mr. Justice Harlan.

178. The Board of County Commissioners of the County of Gunnison, Colorado, vs. Petitioner, E. H. Rollins & Sons. } On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals and the judgment of the Circuit Court of the United States for the District of Colorado in this cause be, and the same are hereby, reversed, the costs in this Court to be paid by the petitioner; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Colorado for further proceedings consistent with the opinion of this Court.

Per Mr. Justice Harlan.

152. City of Covington, vs. Plff in Error, Commonwealth of Kentucky. } In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consider-

by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

(per Mr Justice Harlan)

199. The Texas & Pacific Railway Company, vs. Plff in Error, John Henry Dayton, Nicholas Roberts & Charles Anderson Earle. In Error to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

(per Mr. Justice Harlan)

129. The Baltimore & Ohio Railroad Company, vs. Plff in Error, David Joy, Administrator of the estate of John A. Harvey, deceased. On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit

the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr Justice Harlan.

M. J. Nugent, Superintendent of the Territorial Prison of the Territory of Arizona, vs. Appellant, The State of Arizona Improvement Company. — Appeal from the Supreme Court of the Territory of Arizona.

119.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to remand the case to the District Court for such further proceedings as may be consistent with the opinion of this Court and with law.

Per Mr Justice Harlan.

Frank M. Rider et al.,
No. vs. Plffs in Error,
The United States.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument.

Per Mr. Chief Justice Fuller.

E. A. Le More & Company,
107 of 2d Dec. Term 1867. vs. Appellants,
The United States.

In compliance with the request of the Court of Claims, the Clerk of this Court is hereby directed to deliver the transcript of the record in this cause to the Clerk of the Court of Claims for the use of said Court, and to be returned with all convenient speed.

Per Mr. Chief Justice Fuller.

The City of New Orleans,
Ohio. vs. Petitioner,
John L. Warner.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, March 13th next.

Per Mr. Chief Justice Fuller.

J. K. Mullen & Charles D. McGhee,
153. vs. Plffs in Error,
The Western Union Beef Company.

In Error to the Court of Appeals of the State of Colorado.

the record from the Court of Appeals of the State of Colorado, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

197. Frederick Bauerman, as Receiver of The Rainier Power & Railway Company, Plff in Error, vs. Samuel Dixon. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

218. Robert Dunlap, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof,

Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Brown,
Mr. Justice White,
Mr. Justice Peckham and
Mr. Justice McKenna.

54. T. B. Merrill, as Receiver of The First National Bank of Palatka, vs. The National Bank of Jacksonville. Appellant. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Florida.

per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White,
Mr. Justice Harlan,
Mr. Justice Gray and
Mr. Justice McKenna.

55. T. B. Merrill, as Receiver of The First National Bank of Palatka, Appellant, v. The National Bank of Jacksonville. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the Circuit Court of the United States for the Southern District of Florida of July 27, 1876, entered in this cause in pursuance of the mandate of the United States Circuit Court of Appeals for the Fifth Circuit, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court.

Per Mr. Chief Justice Waite.

Dissenting:
Mr. Justice White,
Mr. Justice Harlan,
Mr. Justice Gray and
Mr. Justice McKenna.

The Chief Justice announced that the Court would not sit on Wednesday, the 12th instant,

Monday, February 20th, 1899. Continued.

647. The United States, Appellant, vs. The New York Indians. On motion of Mr. Solicitor General Richards leave is hereby granted counsel for the appellant to file a brief in reply in this cause.

720. Moffett, Hodgkins & Clarke Co., Petitioners, vs. The City of Rochester et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Thomas H. Carter, in support of the same, and Mr. John F. Kinney, in opposition thereto.

1118. Marcus A. Spurr, Petitioner, vs. The United States. On motion of Mr. A. H. Norton, of counsel for the petitioner, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, March 13th next, after the case heretofore assigned for that day.

340. Stanton Warburton, Petitioner, vs. Matilda B. White et al. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. James Hamilton Lewis, in support of the same, and Mr. Frederic D. McKenney and Mr.

581. David Brown
vs. Appellant,
Cornelius N. Bliss, Secretary of the Interior

On motion of Mr. W. B. Treadwell of Counsel for the appellant, leave is hereby granted to file a petition for the substitution of Edward A. Hitchcock, successor to Cornelius N. Bliss as Secretary of the Interior, as the party appellee in this cause.

711. The Great Southern Fire Proof Hotel Company,
vs. Petitioner,
Benjamin F. Jones et al

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. D. F. Pugh, in support of the same, and Mr. P. Linn and Mr. George K. Nash, in opposition thereto.

642. J. M. Turner et al.,
vs. Plffs in Error,
The Board of Commissioners of Wichita County et al.,

Mr. A. C. Avery, of Counsel for the defendants in error, submitted to the consideration of the Court a motion to dismiss this cause.

642. J. M. Turner et al.,
vs. Plffs in Error,
The Board of Commissioners

The motions to dismiss or affirm in this cause were submitted

of the Court on the record and printed arguments by Mr. A. C. Avery, in support of the same, and Mr. Richard N. Hackett, in opposition thereto.

664. William Henke, Appellant, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. P. H. N. McPherson, of counsel for the appellant, and Mr. Assistant Attorney General Thompson, of counsel for the appellee.

Ex parte In the matter of Henry Hard, Petitioner. Mr. W. Wright, Jr., of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.

669. Citizens Savings Bank of Owensboro, vs. Plff in Error, The City of Owensboro et al. On motion of Mr. Chapeze Walker, of counsel for the defendants in error, It is ordered by the Court that this cause be, and the same is, hereby, advanced and assigned for argument with Case No. 148 et al., as one case.

393. The United States vs. Appellant, On motion of Mr. J. A. McGowan, of counsel

is thereby granted the Clerk to issue the mandate in this cause.

697. The United States, Appellant, vs. The New York Indians. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Guion Miller and Mr. J. K. McGowan, in support of the same, and Mr. Assistant Attorney General Pradt and Mr. C. C. Binney, in opposition thereto.

705. George L'Hote et al., Plffs in Error, vs. The City of New Orleans. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. J. J. McLoughlin, Mr. S. L. Gilmore, and Mr. Branch K. Miller, in support of the same, and Mr. E. Howard McCaleb, in opposition thereto.

696. The Choctaw Nation, Appellant, vs. Richard C. Wiggs et al. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. C. Foltz, in support of the same, and Mr. H. E. Paine, in opposition thereto, and leave was granted Mr. Holmes Conrad to file a brief in op

684. Clarence A. Venner, Petitioner, vs. The Farmers' Loan & Trust Co.

685. The Adrian Water Works Co., Petitioner, vs. The Farmers' Loan & Trust Co.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Alfred Russell, in support of the same in No. 684, and Mr. Andrew Howell in support of the same in No. 685, and Mr. T. B. Van Vorst, in opposition to both petitions.

221. Duluth & Iron Range R.R. Co., Plff in Error, vs. Joseph Roy.

On motion of Mr. J. K. Redington leave is hereby granted him to withdraw his appearance as counsel for the plaintiff in error in this cause.

1467. Jack Amos et al., Appellants, vs. The Choctaw Nation.

Appeal from the United States Court in the Indian Territory.

This cause having been called to the attention of the Court by Mr. W. T. Hutchings, of counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Standard Elevator Company, Norbert A. Beidler, and William N. Wells, Jr., vs. Appellants, Crane Elevator Company and National Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

It appearing to the Court that a motion has been made for the appellants to dismiss the writ of certiorari in this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that the writ of certiorari in this cause be, and the same is, hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

No. 144.

The Mayor &c. of the City of New York et al., vs. Appellants, Robert W. Workman.

Ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 26.

No. 189.

La Abra Silver Mining Co. vs. Appellant, The United States.

On motion of Mr. J. M. Wilson, of counsel for the appellant It is ordered by the Court that one and one-half hours additional time be allowed counsel on each side in the argument of this cause.

1879. La Abra Silver Mining Co., Appellant, vs. The United States.

The argument of this cause was commenced by Mr. J. M. Wilson, of Counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, February 21st, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. Thomas McEwan, Jr., it is ordered that Samuel C. Mount, Samuel Evans Maires and Frederick W. Mount, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

La Abra Silver Mining Co., Appellant
vs.
The United States.

No. 189.

The argument of this cause was continued by Mr. William A. Maury, of counsel for the appellee, and Mr. Crammond Kennedy, of counsel for the appellant.

Thursday, February 23d. 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry M. Teller it is ordered that George L. Richmond, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. E. Payne it is ordered that Frank V. Millard, Esquire, of Tarrytown, N. C. Henderson, Esquire, of New York City, and Amasa J. Parker, Esquire, of Auburn, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Perry it is ordered that W. H. Sears, Esquire, of Laurence, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. John Murray Mitchell it is ordered that Maximus A. Lesser, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. T. Hutchings it is ordered that H. T. Cree, Esquire, of Ardmore, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

581. David Brown, Appellant, vs. Cornelius N. Bliss, Secretary of the Interior.

On motion of Mr. W. B. Treadwell, of counsel for the appellant, and consent of Mr. Assistant Attorney General Van Devanter, of counsel for the appellee, it is ordered by the Court that Ethan A. Hitchcock, successor to Cornelius N. Bliss as Secretary of the Interior, be, and he is hereby made the party appellee in this cause.

1173.	The Cherokee Nation,				Appt,	vs. William P. Thompson et al.
1177.	"	"	"	"	"	Collin J. McKinney et al.
1178.	"	"	"	"	"	Edward N. Bounds et al.
1179.	"	"	"	"	"	Oliver Lee King et al.
1180.	"	"	"	"	"	J. C. Washington et al
1181.	"	"	"	"	"	John M. Pilkington et al.
1182.	"	"	"	"	"	Charles L. Jones et al.
1183.	"	"	"	"	"	J. B. Sparks et al.
1188.	"	"	"	"	"	G. M. D. Holford et al.
1491.	"	"	"	"	"	James Doak et al.
1492.	"	"	"	"	"	C. C. Passmore
1496.	"	"	"	"	"	Richard C. Wiggs et al.
1497.	"	"	"	"	"	John L. Woody, Sr., et al.
500.	"	"	"	"	"	Frank Standifer
523.	"	"	"	"	"	John Sartin et al.
514.	"	"	"	"	"	N. B. Woolsey et al.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. H. E. Paine and Mr. Holmes Conrad, of Counsel for the appellant, and Mr. C. C. Potter, of Counsel for the appellees.

189. La Abra Silver Mining Co., Appellant, vs. The United States. The argument of this cause was concluded by Mr. Crammond Kennedy, of counsel for the appellant.

581. David Brown, Appellant, vs. Ethan A. Hitchcock, Secretary of the Interior

The argument of this cause was commenced by Mr. W. B. Drudwell, of counsel for the appellant, and continued by Mr. Assistant Attorney General Van Devanter, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, February 24th, 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

581. David Brown, Appellant, vs. Ethan A. Hitchcock, Secretary of the Interior.

The argument of this cause was continued by Mr. Assistant Attorney General Van Devanter, of counsel for the appellee, and concluded by Mr. W. B. Treadwell, of counsel for the appellant.

493. William Stephens et al., Appellants, vs. The Cherokee Nation. [illegible] Nos. 445, 446, 460, 539, 540,

The argument of these cases was commenced by Mr. S. M. Porter, of counsel for the appel

548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 592, 593, 598, 599, 600, 601, 608, 609, 612, 613, 614, 615, 616, 617, 618 & 619 Various appellants vs. The Cherokee Nation.

And continued by Mr. W. T. Hutchings, of counsel for the Cherokee Nation.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, February 27th. 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Willis VanDevanter it is ordered that Josiah A. Van Orsdel, Esquire, of Cheyenne, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles G. Coe it is ordered that Antonio Knauth, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Sidney Hill, it is ordered that M. C. Slots, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. T. Hutchings it is ordered that James Bizzoland, Esquire, of Fort Smith, State of Arkansas be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Leo Rassieur, Esquire, of St. Louis, State of Missouri, and Joseph L. Rolls, Esquire, of Alaska, Indian Territory, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

C. P. Dewey,
vs. } In Error to the
177. Plff in Error, } Supreme Court
The City of Des Moines, C. A. Dilworth, } of the State of
Treasurer of Polk County et al. } Iowa.

record from the Supreme Court of the State of Iowa, and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein not inconsistent with the opinion of this Court.

(per Mr. Justice Peckham.)

137. The First National Bank of Wellington, Ohio, Plff in Error, vs. A. P. Chapman, as Treasurer of Lorain County, Ohio. In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is, hereby, affirmed with costs.

(per Mr. Justice Peckham.)

353. The State of Ohio, Appellant, vs. J. B. Thomas. Appeal from the United States Circuit Court of Appeals for the Sixth Circuit.

the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of Ohio.

Per Mr. Justice Peckham.

(The Chief Justice took no part in the consideration or decision of this case.)

The Henrietta Mining and Milling Company, Appellant, vs. Henry Johnson. } Appeal from the Supreme Court of the Territory of Arizona.

139.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the Territory of Arizona.

Per Mr. Justice Brown.

138. The Henrietta Mining and Milling Company, Appellant, vs. Samuel Hill. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the Territory of Arizona.

Per Mr. Justice Brown.

57. The United States, Plff in Error, vs. Jesse Johnson. On certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Harlan.

343. The City of New Orleans, Pltff in Error, vs. Mary Junction. In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

Per Mr. Chief Justice Fuller.

335. Annie R. Kean, vs. Edward Roby et al. Pltff in Error. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed, until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

671. Henry R. Eagle, vs. Petitioner, Gillsbury-Washburn Flour Mills Company Limited, et al. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

writ herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well, in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

973. D. Albert Miller and Sarah P. Miller, Petitioners, vs. Caroline A. Ladd et al., Executors of W. S. Ladd, deceased. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

976. Robert R. Rhodes et al., Petitioners, vs. Lucius P. Mason et al. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel

same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

693. The Interlake Transportation Company et al., Petitioners, vs. Lucius P. Marsh et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

690. William Pelzer, Petitioner, vs. Horn & Brannen Manufacturing Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

George Hibbard and Harry Hibbard, partners as George Hibbard & Son, et al
vs.
The Baltimore Building & Loan Association et al.

694. Petitioners

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The Carnegie Steel Company, Limited,
vs.
The Chesapeake, Ohio & Southwestern Railroad Company et al

695. Petitioner,

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

340. Stanton Warburton, Plff in Error
vs.
Matilda B. White et al. Defts in Error

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed for printed record

Per Mr. Chief Justice Fuller

684. Clarence H. Venner, Petitioner,
vs.
The Farmers' Loan & Trust Company.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Six th Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

685. The Adrian Water Works Company, Petitioner,
vs.
The Farmers' Loan & Trust Company.

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court,

argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

705. George L'Hote, et al., vs. The City of New Orleans. Plffs in Error, It is ordered by the Court that the further consideration of the motions to dismiss, or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

711. The Great Southern Fire Proof Hotel Company, Petitioner vs. Benjamin F. Jones et al. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein, to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, Granted.

Per Mr. Chief Justice Fuller.

790. Moffett, Hodgkins & Clarke Company, vs. The City of Rochester et al. Petitioner. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

813. William Stephens et al., vs. The Cherokee Nation. Appellants, It is ordered by the Court that leave be, and the same is hereby, granted Mr. Wilkinson Call and Mr. A. W. Cockrill to file a printed brief in this and other cases on behalf of The Cherokee Nation and that Mr. Call be allowed one-half hour for the oral argument of said cases.

Per Mr. Chief Justice Fuller.

342. The Milburn Gin and Machine Co., John D. Milburn and James Lee, vs. The German Bank. In Error to the Supreme Court of the State of Tennessee.

the record from the Supreme Court of the State of Tennessee, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The Northern Pacific Railroad Company, Plff in Error, vs. Neptune Lynch Jr. } In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

171.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Montana.

Per Mr. Chief Justice Fuller.

Order.

The Reporter having represented that owing to the number of decisions at the term it will

It is, therefore, now ordered that he publish an additional volume in this year, pursuant to Section 681 of the Revised Statutes.

Per Mr. Chief Justice Fuller.

372. The Steamer "Pedro" &c., vs. The United States. Appellant, On motion of Mr. Solicitor General, Mr. Richards, of counsel for the appellee, and consent of counsel for the appellant, leave is hereby granted to the United States to withdraw certain original exhibits on leaving receipts for same.

173. William Stephens et al., vs. The Cherokee Nation. Appellants, On motion of Mr. Solicitor General, Mr. Richards, leave is hereby granted to file briefs herein on behalf of the United States within ten days and to counsel for the parties to file a reply thereto within five days thereafter.

396. The Chicago, Milwaukee & St. Paul Railway Co. vs. William H. Tompkins et al. Appellant, Mr. D. H. Mell, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

627. The United States ex rel. John H. Adriaans, Petitioner, vs. Richard A. Alvey, Chief Justice, et al.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. William A. Meloy, in support of the same.

712. Emilie Sixlehner, Petitioner, vs. Eisner & Mendelson Co.
713. " " " " Siegel Cooper Company.
714. " " " " Rudolph Gies.
715. " " " " Louis Marquet.
716. " " " " Alexander Nielsen.

The petitions for writs of certiorari herein were submitted to the consideration of the Court on printed arguments by Mr. Antonio Knauth, Mr. Arthur v. Briesen and Mr. Joseph H. Choate, in support of the same, and Mr. Charles G. Coe and Mr. Edmund Wetmore, in opposition thereto.

607. The Minneapolis & St. Louis Railway Co., et al., vs. Appts in Error, Henry A. Gardner.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. F. H. M. Citcheon, in support of the same, and Mr. Albert E. Clarke, in opposition thereto.

423. William Stephens et al., Appellants, vs. The Cherokee Nation, Appellee. Nos. 1115, 1116, 1160, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 592, 593, 598, 599, 600, 601, 608, 609, 612, 613, 614, 615, 616, 617, 618 and 619, Various Appellants vs. The Cherokee Nation.

The argument of these cases was continued by Mr. W. T. Hutchings, and Mr. Wilkinson Call, of Counsel for The Cherokee Nation, and concluded by Mr. Hebert S. May, of Counsel for Stephens et al.

436. J. O. Cobb et al., Appts & Appees in Error, vs. The Cherokee Nation.
459. Robert N. Bell et al., Appts, vs. " " "
464. Juletta Jordan et al., " " " " " "
465. Simuel C. Ward et al., " " " " " "
538. Delilah Fulk et al., " " " " " "
579. Martha J. Wade et al., " " " " " "
457. The Cherokee Nation, Appt, vs. Annie Parker et al.
458. " " " " " Eliza Gilliam et al.

These cases were ordered advanced and submitted on printed arguments to be filed by counsel for appellants in Nos. 436, 459, 464, 465, 538, and 579, and appellees in Nos. 457 and 458, within twenty days.

1118. Owensboro National Bank, Plff in Err, vs. City of Owensboro et al
1119. Deposit Bank of Owensboro, Plff in Err, vs. City of Owensboro et al
150. Deposit Bank of Owensboro, Plff in Err, vs. Ellis's County et al.
151. Planters' & Traders Bank of Owensboro, Plff in Err, vs City of Owensboro et al
669. Citizens' Savings Bank of Owensboro, Plff in Err, vs. City of Owensboro et al.

The argument of these cases was commenced by Mr. W. T. Ellis, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, February 28th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray,
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf, by Mr. A. B. Browne it is ordered that Herbert C. Doolittle, Esquire, of San Diego, State of California, be admitted to practice as an attorney, and counsellor of this Court and he was sworn accordingly.

669. Citizens Savings Bank of Owensboro, Plff in Error, vs. City of Owensboro et al.

On motion of Mr. W. T. Ellis, of counsel for the plaintiff in error, leave is hereby granted.

Counsel for the respective parties herein to file

1148. Owensboro National Bank, Plff in Error, vs. City of Owensboro et al
1149. Deposit Bank of Owensboro, Plff in Error, vs. City of Owensboro et al
1150. Deposit Bank of Owensboro, Plff in Error, vs. Daviess County et al
1151. Farmers' & Traders Bank of Owensboro, Plff in Error, vs. City of Owensboro et al
6469. Citizens Savings Bank of Owensboro, Plff in Error, vs. City of Owensboro et al

The argument of these cases was continued by Mr. W. T. Ellis, of counsel for the plaintiffs in error, and Mr. Chapeze Walker, of counsel for the defendants in error, and concluded by Mr. J. D. Atchison, of counsel for the plaintiffs in error.

634. The First National Bank of Louisville, vs. Appellant, S. H. Stone, Auditor, et al.

635. The First National Bank of Louisville, vs. Appellant, The City of Louisville,

On motion of Mr. Ira Julian, of counsel, it is ordered by the Court that these cases be, and the same are hereby, advanced and assigned for argument with cases Nos. 356 and others.

356. S. H. Stone, Auditor, et al, Appts, vs. Bank of Kentucky.
357. City of Louisville, Appt, vs Bank of Kentucky.
358. S. H. Stone, Auditor, et al, Appts, vs. The Bank of Louisville
359. City of Louisville, Appt vs. Bank of Louisville
360. S. H. Stone, Auditor, et al, Appts, vs. The Louisville Banking Co
361. City of Louisville, Appt, vs. The Louisville Banking Co.
362. S. H. Stone, Auditor, et al, Appts, vs. The Bank of Commerce,
363. City of Louisville, Appt, vs. Bank of Commerce

365. City of Louisville, Appt, vs. The Citizens National Bank
385. S.H. Stone, Auditor &c., Appts, vs. The Farmers' Bank of Kentucky.
386. The Farmers' Bank of Kentucky, Appt vs. S.H. Stone, Auditor &c.
387. S.H. Stone, Auditor, &c., Appts, vs. The Deposit Bank of Frankfort.
404. The 3rd National Bank of Louisville, Appt vs. S.H. Stone, Auditor &c.
405. The Citizens National Bank of Louisville, Appt, vs. S.H. Stone, Auditor &c.
406. The Fidelity Trust & Safety Vault Co., Appt, vs. The City of Louisville.
407. The Fidelity Trust & Safety Vault Co., Appt, vs. S.H. Stone, Auditor, &c.
408. The Louisville Trust Co., Appt, vs. The City of Louisville.
409. The Louisville Trust Co., Appt, vs. S.H. Stone, Auditor &c.
634. The 3rd National Bank of Louisville, Appt vs. S.H. Stone, Auditor &c.
635. The First National Bank of Louisville, Appt, vs. The City of Louisville.

The argument of these cases was commenced by Mr. Ira Julian, of Counsel for the City of Georgetown and Scott County.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, March 1st, 1893.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown — Associate
George Shiras, Jr. — Justices.
Edward D. White
Rufus W. Peckham
Joseph McKenna

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Chief Justice:

It is with sincere sorrow that I announce to the members of the Bar the sudden death of Baron Herschell, former Lord Chancellor of England, information of which has just been received by the Court with deep sensibility.

Lord Herschell had been some months in this country in a public and international capacity, and but a few days have elapsed since he sat with us here, a compliment which has been extended only once previously, in the instance

In view of the cordial relations between Lord Herschell and the members of this Court; his great distinction in our common profession and on the Bench; and his unexpected death while absent from home in the discharge of high public duty, we feel called upon to take notice of this sad event, and as a mark of respect to his memory the Court will adjourn until to-morrow at the usual hr.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, March 2d, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. J. P. Helm it is ordered that Robert W. Douglas, Esquire, of Xenia, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Mason it is ordered that Edward P. Noonan and Jacob A. Kern, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

356. S. H. Stone, Auditor, et al., Appls., vs. Bank of Kentucky,
357. City of Louisville, Appt, vs. Bank of Kentucky.
358. S. H. Stone, Auditor, et al., Appls, vs. The Bank of Louisville.
359. City of Louisville, Appt, vs. Bank of Louisville.
360. S. H. Stone, Auditor, et al., Appls, vs. The Louisville Banking Co.
361. City of Louisville, Appt, vs. The Louisville Banking Co.
362. S. H. Stone, Auditor, et al., Appls, vs. The Bank of Commerce
363. City of Louisville, Appt, vs. Bank of Commerce,
364. City of Louisville, Appt, vs. The Third National Bank
365. City of Louisville, Appt, vs. The Citizens National Bank
385. S. H. Stone, Auditor, et al., Appls, vs. Farmers Bank of Kentucky
386. Farmers Bank of Kentucky, Appt, vs. S. H. Stone, Auditor, et al.
387. S. H. Stone, Auditor, et al., Appls, vs. The Deposit Bank of Georgetown
404. The Third National Bank of Louisville, Appt, vs. S. H. Stone, Auditor, et al.
405. The Citizens National Bank, Appt, vs. S. H. Stone, Auditor, et al.
406. The Fidelity Trust & Safety Vault Co., Appt, vs. The City of Louisville.
407. The Fidelity Trust & Safety Vault Co., Appt, vs. S. H. Stone, Auditor, et al.
408. The Louisville Trust Co., Appt, vs. The City of Louisville.
409. The Louisville Trust Co., Appt, vs. S. H. Stone, Auditor, et al.
634. The First National Bank of Louisville, Appt, vs. S. H. Stone, Auditor, et al.
635. The First National Bank of Louisville, Appt, vs. The City of Louisville.

On motion of Mr. Alex. Pope Humphrey, of counsel, leave is hereby granted to four counsel to argue these cases orally on behalf of the Banks.

The argument of these cases was continued by Mr. Ira Julian, of counsel for the City of Georgetown and Scott County; Mr. Alex. Pope Humphrey, Mr. Frank Chinn, Mr. James P. Helm and Mr. John W. Rodman, of counsel for the Banks; and Mr. N. L. Stone, of counsel for the City of Louisville, et al.

Friday, March 3d. 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorables Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Rufus W. Peckham
Joseph McKenna.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that Waller T. Angell, Esquire, of Providence, State of Rhode Island, and Thomas Bryan Hunger, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

627. The United States ex rel. John N. Adriaans, vs. Richard H. Alvey, Chief Justice, et al. Petitioner.

On motion of Mr. Solicitor General Richards leave is hereby granted him to file a brief in opposition to the pe-

485.	The Chickasaw	Nation,	Appt,	vs.	T. D. Arnold et al,
472.	"	"	"	"	Andrew B. Hill et al.
469.	"	"	"	"	N. B. Roff et al.
471.	"	"	"	"	Mrs. N. J. Love
475.	"	"	"	"	L. M. Poe et al.
476.	"	"	"	"	Daniel McDuffie et al.
484.	"	"	"	"	Evans Hill et al.
486.	"	"	"	"	Joseph A. Brown et al.
487.	"	"	"	"	U. S. Jones et al.
489.	"	"	"	"	W. W. Poyner et al.
490.	"	"	"	"	J. E. C. Wright et al
493.	"	"	"	"	George P. Laflin et al.
494.	"	"	"	"	A. H. Law et al.
495.	"	"	"	"	O. W. Seay.
498.	"	"	"	"	John H. Cornish
499.	"	"	"	"	Ella M. Swain et al.
502.	"	"	"	"	W. V. Alexander et al.
505.	"	"	"	"	J. W. Orchard Sr, et al.
506.	"	"	"	"	W. S. Keys.
508.	"	"	"	"	B. J. Vaughan et al.
509.	"	"	"	"	J. Mael Dochuiter et al.
510.	"	"	"	"	Sallie Duncan.
512.	"	"	"	"	W. T. Lancaster
516.	"	"	"	"	Thomas M. Graham
517.	"	"	"	"	Wm. H. Burch et al.
518.	"	"	"	"	Sarah Palmer et al.
519.	"	"	"	"	Nannie Watkins et al.
520.	"	"	"	"	John P. Holder et al.
521.	"	"	"	"	Sarah Jones et al
522.	"	"	"	"	Nellie Worthy et al.

576. The Chickasaw Nation, Appt, vs. Althea Paul et al.
530. " " " " " William Duncan
531. " " " " " Della C. Lee et al.
537. " " " " " Annie J. Hamilton et al.
533. " " " " " W. R. Pittman.
536. " " " " " Annie May Paul
1149. The Choctaw Nation, Appt, vs. Joanna Mickle et al.
583. " " " " " Charles Goodall et al.
584. " " " " " Z. T. Bottoms et al.
586. " " " " " L. L. Blake et al.
588. " " " " " Robert Goins et al.
587. " " " " " Henry Dillon et al

The motion to advance these cases and to require the appellants to print the transcripts of the records was submitted to the consideration of the Court by Mr. C. L. Herbert, Mr. W. T. Cruce, Mr. J. C. Thompson and Mr. W. A. Ledbetter, of Counsel for the appellees, and leave was granted Mr. N. E. Paine to file a brief in opposition thereto on or before the 6th instant, and to Counsel for appellees to reply thereto instanter.)

356. S. A. Stone, Auditor, et al., Appts, vs. Bank of Kentucky
357. City of Louisville, Appt, vs. Bank of Kentucky.
358. S. A. Stone, Auditor, et al, Appts, vs. The Bank of Louisville.
359. City of Louisville, Appt, vs. Bank of Louisville
360. S. A. Stone, Auditor, et al., Appts, vs. The Louisville Banking Co.
361. City of Louisville, Appt, vs. The Louisville Banking Co.
362. S. A. Stone, Auditor, et al, Appts, vs. The Bank of Commerce.
363. City of Louisville, Appt, vs. Bank of Commerce.

365. City of Louisville, App't, vs. The Citizens National Bank
385. S. H. Stone, Auditor, etal, App'ts, vs. The Farmers Bank of Kentucky
386. The Farmers Bank of Kentucky, App't, vs. S. H. Stone, Auditor, etal
387. S. H. Stone, Auditor, etal, App'ts, vs. The Deposit Bank of Owensboro
404. The First National Bank of Louisville, App't, vs. S. H. Stone, Auditor, etal
405. The Citizens National Bank of Louisville, App't vs. S. H. Stone, Auditor, etal
406. The Fidelity Trust & Safety Vault Co., App't, vs. The City of Louisville
407. The Fidelity Trust & Safety Vault Co., App't, vs. S. H. Stone, Auditor, etal
408. The Louisville Trust Co., App't vs. The City of Louisville
409. The Louisville Trust Co., App't vs. S. H. Stone, Auditor, etal.
634. The First National Bank of Louisville, App't, vs. S. H. Stone, Auditor, etal.
635. The First National Bank of Louisville, App't, vs. The City of Louisville

The argument of these causes was concluded by Mr. H. L. Stone, of counsel for the City of Louisville et al.

Oliver Wendell Holmes, Jr.,
Ancillary Executor &c.,
vs. Appellant.
1911. George D. Hurst.

This cause was re-argued by Mr. Rowland Cox, of counsel for the appellant, and Mr. Andrew Gilchrist, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 6th 1893

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that Edgar D. Crumpacker, Esquire, of Valparaiso, State of Indiana, William Bernard Jones, Esquire, of Delaware, State of Ohio, and Daniel Fraser, Esquire, of Fowler, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hamilton Lewis it is ordered that Henry C. Smith, Esquire, of Adrian, State of Michigan be admitted to practice as an attorney and coun-

On motion first made to the Court in this behalf by Mr. John B. Blair it is ordered that William D. Williams, Esquire, of Minersville, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred. A. Maynard it is ordered that Charles J. Rolfe, Esquire, of Concord State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Dalzell it is ordered that Lowrie C. Barton, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

79. The United States, Appellant, vs. Andrew J. Matthews and Thomas Turner. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Mrs. Bellie Allen, individually, and as Executrix, and N. P. Collins, Co Executor of the Succession of Richard H. Allen, deceased

168. vs. Plaintiffs in Error,

Ogden Smith, Co Executor of the last will and testament of Richard H. Allen, deceased, et al

In Error to the Supreme Court of the State of Louisiana.

Ogden Smith, individually, and as Executor of the succession of Richard H. Allen, deceased, et al.,

176. vs. Plaintiffs in Error,

Mrs. Widow Bellie Allen, individually and as testamentary Executrix of the succession of Richard H. Allen, deceased, et al.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, on writ of error and cross-writ, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by Ogden Smith, individually, and as Executor &c, et al.; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformance with the opinion of this Court.

Per Mr. Justice Brown.

105. Rodman M. Price, Madeline Price, Governeur Price, Francis Price and E. Trenchard Price, Plffs in Error, vs. Anna M. Forrest and Charles Borcherling. In Error to the Court of Errors and Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Errors and Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

346. The Chicago, Milwaukee & St. Paul Railway Company, Appellant, vs. William H. Tompkins et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 16th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

607. The Minneapolis & St. Louis Railway Company et al., vs. Plff's in Error, Henry A. Gardner. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed, until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

627. The United States ex rel. John A. Adriaans, vs. Petitioner, Richard A. Alvey, Chief Justice, and Martin F. Morris and Seth Shepard, Associate Justices. On petition for a writ of certiorari to the Court of Appeals of the District of Columbia.

On consideration of the petition for a writ of certiorari herein to the Court of Appeals of the District of Columbia, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

712. Emilie Saxe Ebner vs. Petitioner, Eisner & Mendelson Company. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari

for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

713. Emilie Saxlehner, vs. Siegel-Cooper Company. Petitioner, On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

714. Emilie Saxlehner, vs. Rudolph Gies. Petitioner, On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

715. Emilie Saxe Ghnet, Petitioner, vs. Louis Marquet. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

716. Emilie Saxe Ghnet, Petitioner, vs. Alexander Nielsen. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

169. The Territory of New Mexico, Appellant vs. The United States Trust Co. of New York, et al. Leave is given to file petition for re-hearing and briefs may be filed within thirty days

in Valencia County. Due notice of this order must be given.

Per Mr. Chief Justice Fuller.

William D. Gilbert, Receiver of The Commercial Alliance Life Insurance Company, Appellant, vs. The Washington Beneficial Endowment Association et al. No. 40. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The German Insurance Company of Freeport, Illinois, Plff in Error, vs. The First National Bank of Boonville, New York. No. 159. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and

this cause be, and the same is hereby, dismissed, for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

170. The St. Louis, Iron Mountain and Southern Railway Company, Plff in Error, vs. Charles Paul. In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

729. Shirley P. High et al., Appellants, vs. F. E. Coyne, Collector of Internal Revenue, et al. Mr. Solicitor General Richards, in behalf of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

690. William Pelzer, Petitioner, vs. Horn & Brammen Manufacturing Company. Mr. Philip Mauro, in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion

714. The State Bank of Ambia, Petitioner, vs. Chicago Title & Trust Company, as Trustee, et al. The petition for a writ of Certiorari herein was submitted to the Consideration of the Court on printed arguments by Mr. Daniel Fraser, in support of the same, and Mr. S. O. Pickens, in opposition thereto.

105. Rodman M. Price et al., Plffs in Error, vs. Anna M. Forrest et al. On motion of Mr. F. H. Haskell, of Counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandate in this cause.

661. Richard F. Caffrey, as County Clerk etc., Plff in Error, vs. The Territory of Oklahoma ex rel. Harper S. Cunningham, Attorney General. The motions to dismiss or affirm in this cause were submitted to the Consideration of the Court on the printed and printed arguments by Mr. Harper S. Cunningham, in support of the same, and Mr. James K. Kealon, in opposition thereto.

77. Abram H. Hendry et al., Appellants, vs. Ocean Steamship Company. This cause was reargued by Mr. Eugene P. Carver, of

pellants, and Mr. Wilburn A. Russell, of counsel for the appellees.

6113. J. W. Carr, Appellant, vs. The Choctaw Nation.
6115. Maggie Slayton et al., Appts, vs. " " "
6116. A. F. Willis et al., Appts, vs. " " "
6117. C. M. Coppedge, Appt, vs. " " "
6151. L. P. Phillips et al., Appts, vs. " " "

On motion of Mr. J. M. Wilson, of counsel for the appellee, leave is hereby granted Counsel, to file printed briefs herein within ten days.

1153. The Choctaw Nation, Appt, vs. F. R. Robinson
1149. " " " " " Joanna Mickle et al
1150. " " " " " John Skaggs,
1151. " " " " " Mary Goddard et al.
1152. " " " " " John M. Grady et al
582. " " " " " Martha Jones et al.
583. " " " " " Charles Goodall et al.
584. " " " " " H. T. Bottoms et al.
585. " " " " " George W. Brooks et al
586. " " " " " J. L. Blake et al.
587. " " " " " Dick Rudolph et al
588. " " " " " Robert Goins et al.
589. " " " " " Henry Dillon et al.
590. " " " " " Wm. L. Thomas et al.
591 " " " " " A. H. Jones et al.
438. Samuel C. Coldwell et al., Appts, vs. The Choctaw Nation
447. Moses C. Ward et al., " " " "
578. Susan S. Bennight et al., " " " "

644. H. H. Cundiff et al., Appts., vs. The Choctaw Nation.
645. Maggie Slayton et al., " " " " "
646. A. F. Willis et al., " " " " "
647. C. M. Coppedge, Appt., " " " " "
648 Emma Labor et al., Appts., " " " " "
651. L. F. Phillips et al., " " " " "

The argument of these cases was commenced by Mr. J. M. Wilson, of Counsel for The Choctaw Nation.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, March 7th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened;

453. The Choctaw Nation, Appt, vs. F. R. Robinson,
449. " " " " " Joanna Mickle et al.
450. " " " " " John Skaggs.
451. " " " " " Mary Ledard et al.
452. " " " " " John M. Grady et al
582. " " " " " Martha Jones et al
583. " " " " " Charles Gordall et al.
584. " " " " " F. T. Bellamy et al.
585. " " " " " George W. Brooks et al.
586. " " " " " L. L. Blake et al.
587. " " " " " Dick Randolph et al.
588. " " " " " Robert Goins et al.
589. " " " " " Henry Dillon et al.
590. " " " " " [illegible]

591. The Choctaw Nation, Appt, vs. A. H. Jones et al
438. Samuel C. Caldwell et al, Appts, vs. The Choctaw Nation
447. Moses C. Clark et al, " " " " "
578. Susan S. Knight et al, " " " " "
613. J. W. Lacie, Appellant, " " " "
644. N. H. Cundiff et al, " " " " "
645. Maggie Clayton et al, " " " " "
646. N. F. Willis et al, " " " " "
647. C. M. Coppedge, Appt, " " " "
648. Emma Nabors et al, " " " " "
651. L. P. Phillips et al, " " " " "

The argument of these causes was continued by Mr. J. M. Wilson, of counsel for The Choctaw Nation, and Mr. C. L. Herbert, of counsel for the appellees in Nos. 586, 585 and 587 and concluded by Mr. J. M. Wilson, of counsel for The Choctaw Nation, and leave was granted other counsel in these cases to file printed briefs within fifteen days.

Emma Nabors et al,
618. vs. Appellants,
The Choctaw Nation.

On motion of Mr. W. T. Hutchings, of counsel leave is hereby granted counsel for the appellants to file printed briefs herein within ten days and to counsel for the appellee to file reply thereto within five days thereafter.

1169. The Chickasaw Nation, Appt. vs. A. B. Roff et al.
1170. " " " " " J. L. Troop.
1171. " " " " " Mrs. A. J. Love.
1172. " " " " " Andrew B. Hill et al.
1174. " " " " " Joe N. Love.
1175. " " " " " G. M. Poe et al.
1176. " " " " " Daniel McDuffie et al.
1184. " " " " " Evans Hill et al.
1185. " " " " " T. D. Arnold et al.
1186. " " " " " Joseph H. Brown et al.
1187. " " " " " U. S. Jones et al.
1189. " " " " " W. W. Poyner et al.
1190. " " " " " J. C. C. Wright et al.
1193. " " " " " George P. Laflin et al.
1194. " " " " " A. H. Law et al.
1195. " " " " " O. W. Seay.
1198. " " " " " John H. Cornish et al.
1199. " " " " " Ella M. Swain et al.
501. " " " " " W. P. Bradley et al.
502. " " " " " W. V. Alexander et al.
503. " " " " " J. W. Sparks et al.
504. " " " " " Zula S. Story et al.
505. " " " " " J. W. Orchard et al.
506. " " " " " W. S. Keys.
507. " " " " " Ray McCoy.
508. " " " " " B. J. Vaughan et al.
509. " " " " " J. Mack Dorchester et al.
510. " " " " " Sallie Duncan.
511. " " " " " Dora Phillips et al.
512. " " " " " W. T. Lancaster.
513. " " " " " [illegible]

514. The Chickasaw Nation, Appt, vs. J. H. East et al
515. " " " " " John C. Bradshaw et al
516. " " " " " Thomas M. Graham
517. " " " " " Wm. H. Burch et al.
518. " " " " " Sarah Palmer et al.
519. " " " " " Nannie Watkins et al.
520. " " " " " John P. Holden et al.
521. " " " " " Sarah Jones et al.
522. " " " " " Nellie Worley et al.
525. " " " " " Wm. A. Arnold et al.
526. " " " " " Altha Paul et al.
528. " " " " " Mary E. Slinell et al.
529. " " " " " C. C. Slinell et al.
530. " " " " " William Lyons
531. " " " " " Dell W. C. Lee et al.
532. " " " " " Annie J. Hamilton et al.
533. " " " " " W. K. Pittman
534. " " " " " M. D. Carson et al.
535. " " " " " Mary A. Shands et al.
536. " " " " " Annie May Paul

It is ordered by the Court that these causes be, and they are hereby, advanced and taken as submitted on printed briefs to be filed by Counsel for the appellees within fifteen days with leave to Counsel for the appellant to file reply thereto within five days thereafter.

454. Wm. P. Morgan et al, Appts, vs The Creek Nation
456. Lucinda Bridges et al, " " " " "
461. Jennie Johnson et al, " " " " "

537. Esther Burkett et al, Appts, vs. The Muskogee Nation.
637. Sarah E. Baker, Appt, vs. The Creek Nation.

It is ordered by the Court that these cases be, and they are hereby, advanced and taken as submitted on printed briefs to be filed by counsel within twenty days.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, March 8th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. William E. Mason it is ordered that Henry D. Coghlan, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

577. George P. Perry et al Appellants, vs. The Chickasaw Nation. This cause was argued by Mr. C. A. Keiguin, of counsel for the appellants, and Mr. Holmes Conrad, of counsel for the appellee.

Wednesday March 8th. 1899. Continued.

182. George L. Whitman vs. The National Bank of Oxford. Petitioner,

The argument of this Cause was commenced by Mr. William D. Cloate, of counsel for the petitioner, and continued by Mr. Howard A. Taylor and Mr. W. B. Hornblower, of counsel for the respondent.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March 9th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

153. George L. Whitman, Petitioner, vs. The National Bank of Oxford.

The argument of this cause was continued by Mr. W. B. Hornblower, of counsel for the respondent, and concluded by Mr. William L. Choate, of counsel for the petitioner.

906. Sterling R. Cockrill, as Receiver of The First National Bank of Little Rock, Arkansas, Plff in Error vs. The United States National Bank of New York.

Mr. S. R. Cockrill, of counsel, suggested the resignation of Sterling R. Cockrill and the appointment of J.,

N. T. Auten as his successor as Receiver of The First National Bank of Little Rock, Arkansas, and moved the Court to make the said N. T. Auten, Receiver &c, the party plaintiff in error in this cause. Whereupon, It is now here ordered by the Court that the said N. T. Auten, Receiver of The First National Bank of Little Rock, Arkansas, be, and he is hereby, made the party plaintiff in error in this cause.

206. N. T. Auten, Receiver &c., Plff in Error, vs. The United States National Bank of New York.

The argument of this cause was commenced by Mr. Sterling R. Cockrill, of counsel for the plaintiff in error, and continued by Mr. John Fletcher, of counsel for the defendant in error, and concluded by Mr. Sterling R. Cockrill, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, March 10th 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

178. Hall Rogers, as Mayor, and The City of Denver, vs. Ellen Theresa Morgan dec'd, Heirs of Samuel B. Morgan, dec'd

This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr George D. Richmond, of Counsel for the plaintiffs in error, and Mr. Willard Teller and Mr. A. M. Orahood, of Counsel for the defendants in error.

162. The Lackawanna Iron & Coal Co. et al. vs. The Farmers Loan & Trust Co. et al.

Petitioners.

The argument of this cause was commenced by

Evarts, of Counsel for the petitioners, continued by Mr. A. B. Duncan and Mr. L. W. Campbell, of Counsel for the respondents, and concluded by Mr. E. B. Knollschmitt, of Counsel for the petitioners.

212. Third Street & Suburban Railway Company, Appellant, vs. Meyer Lewis. This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. Frederick Bausman, of Counsel for the appellant, and Mr. J. W. Blackburn Jr. and Mr. George E. Hamilton, of Counsel for the appellee.

221. Duluth & Iron Range Railroad Company, Plff in Error, vs. Joseph Roy. This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. J. M. Wilson, of Counsel for the plaintiff in error, and Mr. J. M. Vale, of Counsel, for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 13th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered that Amos E. Goodhue, Esquire, of Gadsden, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Mason it is ordered that Albert M. Loeb, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Mr. Ed. Butler it is ordered that Charles Price, Esquire, of Salisbury, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1116 The Remington Paper Company, Plff in Error, vs. John M. Watson, Frank A. Pope, and The Louisiana Printing and Publishing Company, Limited. In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice McKenna.

664 William Gerke, Appellant, vs. The United States and The Apache Indians. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the

be, and the same is hereby, affirmed.

Per Mr. Justice McKenna.

112. Charles G. Smith and Charles G. Smith Jr. Appellants vs. Charles Burnett, suing on his own behalf and Charles Burnett & Charles G. Endicott, Executors of Harriet E. Burnett, deceased, et al. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

113. The Keokuk & Hamilton Bridge Company Plff in Error, vs. The People of the State of Illinois. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On con-

adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

175. The Keokuk & Hamilton Bridge Company, Plff in Error, vs. The People of the State of Illinois. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument.

Per Mr. Chief Justice Fuller.

151. The Northern Pacific Railroad Company, Plff in Error, vs. James De Lacey. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument, but the case will be taken on printed briefs on or before Monday, April 10th next.

Per Mr. Chief Justice Fuller.

228. Platt Rogers, as Mayor of the City of Denver, and The City of Denver, Plff in Error, vs. Ellen Theresa Morgan, Alice Morgan Harrison, et al., Heirs &c. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is, hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

661. Richard F. Caffrey, as County Clerk &c. vs. Plff in Error, The Territory of Oklahoma ex rel. Harper S. Cunningham, Attorney General.

On consideration of the motion for leave to give a supersedeas bond herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, said bond to be in the penal sum of $2,000, conditioned according to law, and to be approved by the Clerk of this Court.

Per Mr. Chief Justice Fuller.

661. Richard F. Caffrey, as County Clerk &c. vs. Plff in Error, The Territory of Oklahoma ex rel. Harper S. Cunningham, Attorney General.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

690. William Pelzer, Petitioner, vs. Horn & Brannen Manufacturing Company. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

719. The State Bank of Ambia, Petitioner, vs. Chicago Title and Trust Company, as Trustee, et al. — On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.
On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

729. Shirley T. High et al., Appellants, vs. F. E. Coyne, Collector of Internal Revenue, et al. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 16th next after the cases heretofore assigned for that day.

209. Frank M. Rider et al., vs. Plaintiffs in Error, The United States.

It is ordered by the Court that this cause be, and the same is hereby, assigned for re-argument on Monday, October 16th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

161. The United States, vs. Appellant, The Bellingham Bay Boom Company.

It is ordered by the Court that this cause be, and the same is hereby, assigned for oral argument at the bar on Monday, October 16th next, immediately after case No. 209.

Per Mr. Chief Justice Fuller.

350. The Steamship "Buena Ventura" &c., Appt, vs. The United States.
372. The Steamer "Pedro" &c., Appt, vs. The United States.
381. The Steamer "Guido" &c., Appt, vs. The United States.
389. The Steamship "Panama" &c., Appt, vs. The United States.
596. James A. Farquhar, Owner &c., Appt, vs. The United States.
628. The Steamship "Adula" &c., Appt, vs. The United States.
704. The United States, Appt, vs. The Steamer "Olinde Rodrigues".

Mr. Solicitor General Richards submitted to the consideration of the Court motions to advance these cases.

165. John D. Wilcox,
vs. Appellant,
The Eastern Oregon Land Co.
E. D. Messinger,
166. vs. Appellant,
The Eastern Oregon Land Co.

On motion of Mr. James K. Kelly, of Counsel for the appellee, it is ordered by the Court that the order postponing the consideration of these cases, entered November 29, 1897, &c, and the same is hereby, vacated and set aside.)

472. The Chickasaw Nation,
vs. Appellant,
Andrew B. Hill et al.

On motion of Mr. H. L. Cruce, of Counsel for the appellees, leave is hereby granted him to file a reply brief herein within ten days after the receipt of the brief of counsel for the appellant.

640. The City of New Orleans,
vs. Petitioner,
John L. Harmen.

This cause was argued by Mr. Branch K. Miller, of Counsel for the petitioner, and Mr. Wheeler H. Peckham, of Counsel for the respondent.

448. Marcus A. Spurr,
vs. Petitioner
The United States.

The argument of this cause was commenced by Mr. John A. Pills, of Counsel for the petitioner.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
} Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

109. Edwin A. McIntire et al., Appellants, v. Mary C. Pryor. On motion of Mr. N. Macey, of Counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

27. The United States, Appellant, v. The Tennessee & Coosa Railroad Co. & Hugh Carlisle et al. Mr. Charles W. Russell, of counsel for the appellant suggested the death of Hugh Carlisle, one of the appellees herein, and, Counsel for the appellees con-

Henderson, heir, and Mary Carlisle, widow, of said Hugh Carlisle, parties appellees in this cause. Whereupon, It is now here ordered by the Court that the said Anna J. Henderson, heir, and Mary Carlisle, widow, of Hugh Carlisle, deceased be, and they are hereby, made parties appellees in this cause.

1118. Marcus A. Spurr, Petitioner, vs. The United States. The argument of this cause was continued by Mr. John A. Pille, of counsel for the petitioner, and Mr. Ed. Baden, of counsel for the respondent, and concluded by Mr. A. H. Horton of counsel for the petitioner.

927. The Lake Shore & Michigan Southern Railway Co., Plff in Error, vs. Henry C. Smith. The argument of this cause was commenced by Mr. George C. Greene, of counsel for the plaintiff in error, and continued by Mr. Fred. A. Maynard, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

231. The Consolidated Water Co., et al., Appellants, vs. E. S. Babcock et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Horace S. Oakley, Mr. C. K. Davis, Mr. F. K. Kellogg, and Mr. C. A. Severance, of counsel for the appellants, and Mr. A. E. Doolittle, Mr. W. J. Hunsaker, Mr. A. P. Bullon and Mr. A. B. Browne, of counsel for the appellees.

227. The Lake Shore & Michigan Southern Railway Co., vs. Henry C. Smith, In Error.

The argument of this cause was continued by Mr. Fred. A. Maynard and Mr. H. C. Smith, of counsel for the defendant in error, and concluded by Mr. George C. Greene, of counsel for the plaintiff in error, and leave was granted counsel for the defendant in error to file a supplemental brief.

202. The Washburn & Moen Manufacturing Co., vs. The Reliance Marine Insurance Co., Limited.

The argument of this cause was commenced by Mr. Eugene P. Carver, of counsel for the Petitioner, and continued by Mr. T. J. Stimson, of counsel for the Respondent.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Knight, Esquire, Marshal
James H. McKenney, Esq.

Proclamation being made the Court is opened.

738. T. E. Jordan, E. H. Jordan, W. A. Jordan and W. S. Head, Plffs in Error, vs. John Duke, W. H. Ferguson and G. H. Schuerman. In Error to the Supreme Court of the Territory of Arizona.

Appearing to the Court that an authority of counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

739. F. E. Jordan, E. A. Jordan, W. A. Jordan and W. S. Head, Plffs in Error, vs. George N. Schuerman. In Error to the Supreme Court of the Territory of Arizona.

It appearing to the Court that an authority of counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

203. The Washburn & Moen Manufacturing Co., Petitioner, vs. The Reliance Marine Insurance Co., Limited. Reargument of this cause was continued by Mr. F. J. Stimson, of counsel for the respondent, and concluded by Mr. Eugene P. Carver, of counsel for the petitioner, and leave was granted counsel to file additional briefs within one week.

204. The Guarantee Company of North America, Petitioner, vs. The Mechanics' Savings Bank and Trust Co., use of J. J. Pryor, Assignee. This cause was argued by Mr. W. L. Granberry, of counsel for the petitioner, and Mr. E. H. East, of counsel for the respondent.

776. The American Refrigerator Transit Co., Plff in Error, vs. Frank Hall, Treasurer &c Deft in Error.

Plaintiff in error.

Rearguments of this cause was commenced by Mr. Judson Harmon, of Counsel for the

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, March 17th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

245. William V. Marmion, Appellant, vs. John McClellan, Executor of Elizabeth A. Walker. Appeal from the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. M. J. Colbert, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

William V. Mannion
vs. Appellant,
945. John McClellan, Executor &c.

On motion of Mr. N. J. Colcock, of Counsel, for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

Robert M. White,
vs. Plff in Error,
932. August P. Leroy et al.

Ordered by the Court that this cause be passed temporarily.

Joseph Raymond,
vs. Appellant,
934. The City of New Orleans.

On motion of Mr. S. F. Fisher, of Counsel for the appellant, It is Ordered by the Court that this cause be passed temporarily.

The American Exchange
Transit Co.,
vs. Plff in Error.
976. Frank Hall, Treasurer &c.

The argument of this cause was concluded by Mr. Judson Harmon, of Counsel for the plaintiff in error, and the cause was submitted on a printed argument by Mr. Alexander D. McKinley, of Counsel for the defendant in error.

Lucetta R. Medbury,
vs. Appellant,
975. The United States.

The argument of this cause was commenced by Mr. Russell Duane, of Counsel for the appellant, and continued by Mr. George N. Lorman, of Counsel for

Spalding, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 20th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. P. Michener it is ordered that Charles Nagel, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Crammond Kennedy it is ordered that J. Henry Scarbee, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

609 J. M. Turner and J. M. Welborn, vs. Plffs in Error, The Board of Commissioners of Wilkes County et al. Defts. In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Peckham.

697 The United States, vs. Appellant, The New York Indians. On consideration of the motion for an order on the Court of Claims to make additional findings of fact, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court, that said motion be, and the same is hereby, denied.

Per Mr. Justice Brown.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Harlan and
Mr. Justice Brewer.

The United States, Appellant, vs. The New York Indians. } Appeal from the Court of Claims.

No. 417.

This cause came on to be heard on the transcript of the record from the Court of Claims and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Justice Brown.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Harlan and
Mr. Justice Brewer.

350. The Steamship "Buena Ventura" vs. Appt. vs. The United States.
372. The Steamer "Pedro" vs. " " " " "
381. The Steamer "Guido" vs. " " " " "
384. The Steamship "Panama" vs. " " " " "
396. James A. Farquhar, Owner &c. vs. " " " " "
398. The Steamship "Adula" vs. " " " " "

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby granted, and the cases assigned for argument on Monday, October 16th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

701. The United States, Appellant vs. The Steamer "Linda Rodrigues" &c. On consideration of the motion to advance this cause, It is now hereordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, April 3d next, at the head of the call.

Per Mr. Chief Justice Fuller.

931. The Consolidated Water Company and Constantine M. Benson and Henry Livesey, Appellants, vs. E. S. Babcock, The Southern California Mountain Water Company et al. Appeal from the Circuit Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this Appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of Henry Ward, Petitioner. On consideration of the motion for leave

a writ of habeas corpus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

212. Third Street & Suburban Railway Company, Appellant, vs. Meyer Lewis. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

117. George W. Childs Drexel and James W. Paul, Junior, Executors of George W. Childs, deceased, Plaintiffs in Error, vs. The United States. In Error to the United States Circuit Court of Appeals for the Third Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of counsel for the defendant in error, and a stipulation of counsel for the respective parties to dismiss

Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

47. George W. Childs Drexel & James W. Paul, Jr. Executors &c., Plff in Error, vs. The United States.

On motion of Mr. Solicitor General Richards, of Counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

658. Jacob Forsyth, Plff in Error, vs. Henry P. P. Vehmeyer.

Mr. Frederic D. McKenney, in behalf of Counsel, suggested the death of Jacob Forsyth, the plaintiff in error in this cause, and moved the Court to make Oliver O. Forsyth, Administrator of the estate of said Jacob Forsyth, the party plaintiff in error herein. Whereupon, It is now here ordered by the Court that said Oliver O. Forsyth, Administrator of the estate of Jacob Forsyth, deceased, be, and he is hereby, made the party plaintiff in error in this cause.

658. Oliver O. Forsyth, Administrator &c., Plff in Error, vs. Henry P. P. Vehmeyer.

The motions to dismiss or affirm in this cause were

submitted to the consideration

printed arguments by Mr. John S. Miller, in support of the same, and Mr. Edward C. Roby, in opposition thereto.

Proclamation being made the Court is adjourned until Monday, April 3d next, at twelve o'clock.

Monday, April 3d, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Griggs it is ordered that Clara L. Poor, of Boston, State of Massachusetts, Alan L. McDermott, Esquire, of Jersey City, State of New Jersey, and James B. Dill, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Willis VanDevanter it is ordered that Clarence Clark Hamlin, Esquire, of Colorado Springs, State of Colorado, be admitted to practice as an attorney and

he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Carter it is ordered that Henry G. McIntire and Edward C. Day, Esquires, of Helena, State of Montana, and Louis Marshall, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that Joseph Hill Brinton, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. R. Brown it is ordered that Ira M. Earle, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

991. Duluth & Iron Range Railroad Company, Plff in Error, vs. Joseph Roy. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice McKenna.)

134. The Guthrie National Bank, Plff in Err'r and Appt.
vs.
The City of Guthrie.

In Error to and Appeal from the Supreme Court of the Territory of Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to reverse the judgment of the district Court and remand the cause to that Court with directions to proceed to a hearing of the claims upon their merits.

(Per Mr. Justice Peckham.)

Dissenting:
Mr. Justice Harlan.

775. Sweetta R. Medbury, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, modified so that it shall provide for dismissing the petition upon the merits, and, as so modified, be, and the same is hereby, affirmed.

Per Mr. Justice Strong.

435. James Nicol, Appellant, vs. John Ames, United States Marshal for the Northern District of Illinois. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Strong.

Ex parte. In the matter of George R. Nichols, Petitioner.

H. Original.

On consideration of the petition for a writ of habeas corpus herein, the return to the rule to show cause, and of the argument of counsel thereupon had, It is now here ordered by this Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Peckham.

Edwin S. Skillen, Appellant,
v.
John C. Ames, United States Marshal for the Northern District of Illinois.

675. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

636. Charles N. Ingwersen, Plff in Error, vs. The United States. In Error to the District Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Peckham.

1144. Darwin C. Allen, Plff in Error, vs. The Southern Pacific Railroad Company. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

669. Citizens' Savings Bank of Owensboro, Plff in Error, vs. City of Owensboro and A. M. C. Simmons, Tax Collector. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

Dissenting:
Mr. Justice Brown.

114. The Deposit Bank of Owensboro, Plff in Error, vs. The City of Owensboro and A. M. C. Simmons. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

150. Deposit Bank of Owensboro, Plff in Error
vs.
Daviess County, Daviess County Court, and J. S. Mullican. } In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause, and the same is hereby, affirmed with Costs.

Per Mr. Justice White.

151. Farmers' & Traders' Bank of Owensboro, Kentucky, Plff in Error
vs.
City of Owensboro and A. M. C. Simmons. } In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with cost.

Per Mr. Justice White.

1118. Owensboro National Bank, Plff in Error, vs. City of Owensboro et al. A. M. C. Simmons. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice White.

27. Abram H. Hindry et al. Appellants, vs. The Ocean Steamship Company, Claimant &c. On writ of Certiorari to the United States Circuit Court of Appeals for the First Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and the

the same is hereby remanded to the District Court of the United States for the District of Massachusetts.

(Per Mr. Justice Brown.)

Dissenting:
Mr. Chief Justice Fuller and
Mr. Justice Peckham.

581. David Brown, Appellant, vs. Ethan A. Hitchcock, Secretary of the Interior. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brown.

(Mr. Justice McKenna took no part in the consideration and decision of this case.)

714. The Guarantee Company of North America, Petitioner, vs. The Mechanics' Savings Bank & Trust Company for the use of J. J. Pryor, Assignee. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said United States Circuit Court of Appeals with directions to dismiss the appeal prosecuted to that Court, and for such further proceedings in the Circuit Court of the United States for the Middle District of Tennessee as may be consistent with law.

Per Mr. Justice Harlan.

82. The Henderson Bridge Company and The Louisville & Nashville Railroad Company, Plffs in Error, vs. The City of Henderson. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

31. The Henderson Bridge Company and The Louisville & Nashville Railroad Company, Plffs in Error, vs. The City of Henderson. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

658. Oliver O. Forsyth, Administrator &c., Plff in Error, vs. Henry F. T. Villmayer. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

303. Charles E. Pope, Receiver of the Chicago & South Atlantic Rail road Company, vs. The Louisville, New Albany & Chicago Railway Company, Appellant. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit and was argued by Counsel on a motion to dismiss or affirm. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

367. John N. Blythe and Henry T. Blythe, vs. Florence Blythe Hinckley, Appellants. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

131. Eliza Cooper et al., Plffs in Error, vs. Edward S. Newell and Clarence B. Smith, Executors. On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the affirmative. Whereupon it is nowhere ordered by this Court that it be certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller.

146. The Remington Paper Co., Plff in Error, vs. John H. Watson et al. On motion of Mr. Alexander Porter Morse of counsel for the defendant

in error, leave is hereby granted the Clerk to issue the mandate in this cause.

656. The Louisville & Nashville Railroad Company, Plff in Error, vs. A. L. Schmidt in his own behalf and as Trustee, et al. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the

record and printed arguments by Mr. E. J.

same, and Mr. James P. Helm and Mr. Helm Bruce, in opposition thereto.

279. David Armstrong, Receiver &c., vs. The Chemical National Bank of New York. Appellant. Mr. Frederic D. McKenney, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

270. Anderson Gralz, Trustee, et al, vs. The Land & River Improvement Co. et al. Petitioners. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Ike M. Earle and Mr. Henry S. Wilcox, in support of the same, and Mr. Maxwell Evarts, Mr. John C. Spooner and Mr. A. L. Sanborn, in opposition thereto.

730. The Mexican Central Railway Company, vs. A. M. Marshall, Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. A. B. Browne and Mr. A. P. Britton, in support of the same.

767. Henry Lockhart, vs. J. A. Johnson, Julia A. Johnson, his wife, et al.

M. A. B. Browne, of counsel for the defendants in error & appellees, having filed in open Court the following Certificates, to wit:

"In the Supreme Court of the Territory of New Mexico.

I Jose D. Sena, Clerk of the Supreme Court of the Territory of New Mexico, do hereby Certify that in a certain Cause pending in said Supreme Court wherein Henry Lockhart was plaintiff in error, and J. A. Johnson, Julia A. Johnson, his wife, Charles Filley, the unknown heirs of Lee Walker, deceased, W. B. Childers, Edward W. Dobson, Charles Bonsall, and The Washington Gold & Silver Mining Company were defendants in error, a final judgment was rendered by said Court on the 23rd day of August, A. D. 1898, in favor of the said defendants in error, and against the said plaintiff in error, and that on the 17th day of December, A. D. 1898, said plaintiff in error sued out a writ of error to said Supreme Court of the Territory of New Mexico, directed, to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court at Santa Fe, New Mexico, this 14th day of March, A. D. 1899.

(Seal)

In the Supreme Court of the Territory of New Mexico

I Jose D. Sena, Clerk of the Supreme Court of the Territory of New Mexico, do hereby certify that in a certain cause pending in said Supreme Court, wherein Henry Lockhart was plaintiff in error, and J. A. Johnson, Julia A. Johnson, his wife, Chalre Pilkey, the unknown heirs of Lee Walker deceased, W. B. Childers, Edward M. Dobson, Charles Bonsall, and The Washington Gold & Silver Mining Company were defendants in error, a final judgment was rendered by said Court on the 23rd day of August, A.D. 1898, in favor of the said defendants in error, and against the said plaintiff in error, and that on the 17th day of December, A.D. 1898, the said plaintiff in error filed in said Court a motion for an appeal to the Supreme Court of the United States, and for a certified copy of the statement of facts, which said motion for appeal was by the said Court granted on the 17th day of December, A.D. 1898, and the said certified statement of facts was filed on the 9th day of February, A.D. 1898.

In testimony whereof, I hereunto subscribe my name and affix the seal of the said Supreme Court at Santa Fe, New Mexico, this 11th day of March, A.D. 1899.

(Seal)

José D. Sena, Clerk.

moved the Court to docket and dismiss this cause

Court that the plaintiff in error and appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now therefore ordered and adjudged by this Court that the writ of error in this cause to and the appeal from the Supreme Court of the Territory of New Mexico be, and the same is hereby dockeled and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

763. The Phoenix Assurance Company of London, vs. Plff in Error, The Fire Department of the City of Montgomery et al.

Mr. A. B. Browne, in behalf of Mr. John T. Morgan, of counsel for the defendants in error, having filed in open Court the following certificate, to wit:

"Supreme Court of the State of Alabama.

I, Sterling A. Wood, Clerk of the Supreme Court of the State of Alabama, do hereby certify that in a certain cause pending in said Court, wherein The Phoenix Assurance Company of London is appellant, and The Fire Department of the City of Montgomery, Dexter Fire Engine Company, Number 1, of the City of Montgomery, Alabama, Fire Engine Company, Number 2, of the City of Montgomery, Grey Eagle Fire Engine Company,

Engine Company, Number 3, of the City of Montgomery, and Mechanics Hook & Ladder Company, Number 1, are appellees, a final judgment was rendered by said Court on the fourteenth day of May A.D. 1898, in favor of the said appellees, and against the said appellant, and that on the 21st day of June, A.D. 1898, said appellant sued out a writ of error to said Supreme Court directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court, at Montgomery this 25th day of October, A.D. 1898.

(Seal)

Sterling A. Wood, Clerk."

-moved the Court to docket and dismiss this cause pursuant to the 6th rule: And it appearing to the Court that the plaintiff in error has failed to have its cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Alabama be, and the same is hereby docketed and dismissed with costs: And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per M. Chief Justice Fuller.

754. S. F. Chapman, vs. The Yellow Poplar Lumber Co. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. J. T. Bullitt and Mr. R. A. Ayres, in support of the same, and leave was granted counsel for the respondent to file brief in opposition thereto within one week.

760. William Crawford, vs. William L. Hubbell, Treasurer. Appellant, The petition for a writ of certiorari herein was submitted to the consideration of the Court by Mr. James B. Dill in support of the same.

760. William Crawford, vs. Wm. L. Hubbell, Treasurer. Appellant Mr. James B. Dill, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

701. The United States, vs. The Steamship "Olinda Rodrigues" &c. Appellant, The motion for an order authorizing the introduction into the record of certain papers mentioned in said motion was submitted to the consideration of the Court by Mr. E. K. Jones, in support of the

Assistant Attorney General Hoyt, and Mr. J. T. Kennedy Bryan, in opposition thereto.

701. The United States, Appellant, vs. The Steamship "Cinde Rodrigues" Its claimant. This cause was ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday next, at the head of the docket.

232. Robert M. White, Plff in Error, vs. August F. Leovy et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. Howard McCaleb, of counsel for the plaintiff in error, and Mr. Victor Leovy, Mr. H. F. Leovy, and Mr. Alexander Porter Morse, of counsel for the defendants in error.

234. Joseph Raymond, Appellant, vs. The City of New Orleans. (Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.)

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 16th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed with

Monday, April 3d, 1899. Continued.

716. The United States, Appellant, vs. John Knott. This cause was argued by Mr. Charles H. Russell, of counsel for the appellant, and submitted on a printed argument by Mr. Edgar Wilson, of counsel for the appellee.

729. The New England Railroad Co. in Error, vs. Robert F. Conroy, Gilmore. The argument of this cause was commenced by Mr. Frank A. Famham, of counsel for the plaintiff in error, and continued by Mr. James E. Cotter, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 4th, 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf, by Mr. C. K. Davis it is ordered that Wallace B. Douglas, Esquire, of Moorhead, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

347. John G. Schmidt vs., Appellant.
John N. Williams, Admr, et al.

On motion of Mr. Joseph Hill Brinton, of counsel for the appellant, it is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to Rule 32.

129. The New England Railroad Co., Plff in Error, vs. Robert P. Conroy, Admr. &c. The argument of this cause was continued by Mr. James E. Colter, of Counsel for the defendant in error, and concluded by Mr. Frank A. Famham, of Counsel, for the plaintiff in error.

130. Elizabeth M. Humphries, by her next friend John H. Humphries, Plff in Error, vs. The District of Columbia. This cause was argued by Mr. A. A. Birney, of Counsel for the plaintiff in error, and Mr. W. W. Thomas and Mr. A. B. Duvall, of Counsel for the defendant in error.

136. Adolph Cohn, Appellant, vs. Angelina Dailey et al. The argument of this cause was commenced by Mr. J. K. Redington, of Counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April 5th 1899.

Pursuant to adjournment the Court met, to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Newell N. Clapp, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

767. Samuel Nelson, Plff in Error, v. Dennis Maloney. On motion of Mr. A. J. Rose, of counsel for the defendant in error, It is ordered by the Court that the motions to dismiss or affirm this day filed herein be set down for submission on printed arguments on Monday the 17th inst.

238. Walter M. McCain et al., Appellants, vs. The City of Des Moines et al. On motion of Mr. J. M. Wilson, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

136. Adolph Cohn, Appellant, vs. Angelina Daily et al. The argument of this cause was concluded by Mr. J. K. Redington, of counsel for the appellees, and the cause was submitted on printed argument by Mr. M. A. Smith, of counsel for the appellant.

235. The Chicago, Rock Island & Pacific Railway Co., Plff in Error, vs. David Campbell.

236. The Chicago, Rock Island & Pacific Railway Co., Plff in Error, vs. C. A. Sturm. These causes were submitted to the consideration of the Court on the records and printed arguments by Mr. W. F. Dean and Mr. M. A. Low, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

the appellants, and Mr. N. T. Guernsey of counsel for the appellees.

146 Harry K. Dickerman, Trustee, et al., Petitioners, vs. The Northern Trust Co. et al. The argument of this cause was commenced by Mr. Alfred Graham, of counsel for the petitioners, and continued by Mr. Louis Marshall, of counsel for the respondents, and Mr. John S. Cooper, of counsel for the petitioners.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court announced

Henry H. Dickerman, Trustee, et al., Petitioners,
v.
The Northern Trust Co., et al.
196.

Reargument of this cause was concluded by Mr. John S. Cooper, of counsel for the petitioners.

The United States, Plaintiff in Error,
v.
One Distillery et al.,
Henry Wales et al., Claimants.
190.

This cause was argued by Mr. Assistant Attorney General Boyd, of counsel for the plaintiff in error, and Mr. Samuel G. Milburn, of counsel for the defendants

defendants in error to file an additional brief within one week.

237. Lindsay & Phelps Company, vs. Jeff in Error, John N. Mullen et al.) The argument of this cause was commenced by M. Newell H. Phelps, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 7th. 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White.
Rufus W. Peckham
Joseph McKenna

Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Lindsay & Phelps Company, Plaintiff in Error,
vs.
John H. Mullan et al.

No. 239.

Reargument of this cause was continued by Mr. Newel H. Clapp, of counsel for the plaintiff in error, Mr. Wm. B. Douglas, of counsel for the defendants in error, and concluded by Mr. Newel H. Clapp, of counsel for the plaintiff in error.

The De La Vergne Refrigerating Machine Co.,
vs.
The German Savings Institution et al.

Petitioners.

No. 240.

Reargument of this cause was commenced by Mr. F. H. Lehr

for the petitioner, and continued by Wm. Shea Rassieur, of counsel for the respondents.

Proclamation being made the Court is adjourned, until Monday next at twelve o'clock.

Monday, April 10th, 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D White.
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Chief Justice said:

It becomes my sad duty to inform the gentlemen of the Bar that Mr Justice Field on yesterday, Sunday, evening passed peacefully from this life. He died full of years and of honors, and attended by all that should accompany old age.

The judicial career of Mr Justice Field was unexampled in length and distinction, and he occupied a seat upon this bench for a longer period than any of its members from the beginning. His labors left no region of jurisprudence unexplored and now that he,

His retirement when he saw port approaching, was so recent that he hardly seems to have been absent and his death comes home to us the more keenly.

As a mark of respect to his memory the Court will adjourn until to-morrow.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire Marshal,
James McKenney, Esquire Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Richards it is ordered, that Frederick C. Bryan, Esquire, of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court and was sworn accordingly.

The Security Trust Company, as Assignee of the D. D. Merrill Company, Plaintiff in Error,
vs.
Frank H. Dodd, Blacker Van Wagenen & Edward N. Dodd, Copartners as Dodd, Van Wagenen & Co.

186.

On certificate from the United States Circuit Court of Appeals for the Eighth Circuit

Tuesday, April 11th, 1899, Continued.

the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by Counsel. On Consideration whereof, It is the opinion of this Court that the second question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Brown.

108. The Capital Traction Company, Plff in Error, vs. Charles Hof. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On Consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Court of Appeals in this cause &c. and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

(Mr. Justice Brown did not sit in this case, or take any part in its decision.)

111. The Metropolitan Railroad Company, Plff in Error, vs. Samuel K. Cusick, Justice of the Peace in and for the District of Columbia. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the

the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with cost.

Per Mr Justice Gray.

165. The Brightwood Railway Company, Plff in Error, vs. Lewis J. O'Neal and James T. N. Lindon. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with cost.

Per Mr. Justice Gray.

164. Joe Kirby, Plff in Error, vs. The United States. In Error to the District Court of the United States for the District of South Dakota.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of South Dakota, and was

It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions for a new trial, and for further proceedings consistent with law.

(Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Brown and
Mr. Justice McKenna.

(Mr. Justice Brewer was not present at the argument and took no part in the decision of this cause.)

No. 970. Anderson Gratz, Trustee, et al., Petitioners, vs. The Land & River Improvement Company et al. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.

279. David Armstrong, Receiver, Appellant, vs. The Chemical National Bank of New York

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied, but leave is granted counsel in this case to file briefs in case No 306 instanter.

Per Mr. Chief Justice Fuller.

656. The Louisville & Nashville Railroad Company, Plff in Error, vs. A. L. Schmidt, in his own behalf & as Trustee, etc.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

730. The Mexican Central Railway Company, Petitioner vs. A. M. Marshall.

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is here

760. William Crawford, Appellant, vs. William L. Hubbell, Treasurer &c.

On consideration of the petition for a writ of certiorari to bring up the entire record in this cause and of the motion to advance this cause, It is now here ordered by the Court that said petition be, and the same is hereby, denied, and that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 16th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

58. Oliver C. Bosbyshell, Plff in Error, vs. The United States.

In Error to the United States Circuit Court of Appeals for the Third Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of counsel for the defendant in error, and a stipulation of counsel for the respective parties to dismiss the writ of error in this cause having been filed, Therefore, in pursuance of said stipulation It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

58. Oliver C. Barbyshell, vs. Plff in Error, The United States. On motion of Mr. Solicitor General Nicholas, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

674. N. B. Austin, vs. Plff in Error, The State of Tennessee. Mr. James E. Boyd, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance the cause.

748. Marvin F. Scaife, vs. Petitioner, The Western North Carolina Land Company et al. The petition for a writ of certiorari, herein was submitted to the consideration of the Court on printed arguments by Mr. A. C. Avery, in support of the same.

755. George M. West Company, vs. Appellant, Lea Brothers & Company. On motion of Mr. J. H. Ralston, of counsel for the appellees, It is ordered by the Court that this cause be, and the same is hereby, advanced as under the 3rd Rule.

391. The United States and The Kiowa and Comanche Indians, Appellants, vs. Moses Tallowill. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Thompson, of counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

392. The United States and The Comanche Indians, Appellants, vs. Emeline Mackey. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Thompson, of counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

373. The United States and The Kiowa Indians, vs. Daniel D. Leatherwood, Appellants, Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Thompson of Counsel for the appellants and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby dismissed.

(per Mr. Chief Justice Fuller.)

374. The United States and The Comanche Indians, vs. A. C. Bellants, Appellants, Appeal from the Court of Claims. Robert Carter,

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Thompson of Counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be and the same is hereby dismissed.

(per Mr. Chief Justice Fuller.)

325. The United States ad The Comanche Indians, vs. Appellants, Charles H. Nillson. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Thompson of Counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

326. The United States ad The Comanche Indians, vs. Appellants, Mary Scroggins. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Thompson, of Counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

The United States Vs. The
Comanche Indians,
vs. Appellants.
Fleming P. Jennings.

327. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Peyton of counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby dismissed.

Per Mr. Chief Justice Taney.

The United States Vs. The
Kiowa and Comanche Indians,
vs. Appellants,
David P. McCracken.

328. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Peyton of counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Taney.

The United States and The Comanche Indians, vs. Appellants, Price Woody. — Appeal from the Court of Claims.

309.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Thompson, of counsel for the appellants, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Anton Glaus, vs. Petitioner The Pennsylvania Co. — The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Charles Dick, in support of the same, and Mr. W. B. Sanders, in opposition thereto.

717.

The Baltimore & Ohio South-western Railway Co., vs. Pltff in Error, William Voight — Mr C. M. Cist, of Counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause for submission on printed briefs, which was opposed by Mr. Edward Colston, of counsel for the plaintiff in error. Thereupon It is now here ordered by the Court that this cause be, and the same is hereby, advanced for submission on printed briefs on the 18th day of April, A.D. 1899.

314.

that said motion be, and the same is hereby, denied.

151. The Northern Pacific Railway Company, Plff in Error, vs. James Delaney. This cause was re-submitted to the consideration of the Court, on motion of counsel, on the record and printed arguments by Mr. C. W. Bunn, of counsel for the plaintiff in error, and Mr. W. K. Pritchard, of counsel for the defendant in error.

240. The De La Vergne Refrigerating Machine Co., Petitioner, vs. The German Savings Institution et al. The argument of this cause was continued by Mr. J. M. Wilson, of counsel for the respondents, and concluded by Mr. Charles A. Aldrich, of counsel for the petitioner.

704. The United States, Appellant, vs. The Steamship "Olinde Rodrigues" &c. The reargument of this cause was commenced by Mr. J. P. Kennedy Bryan, of counsel for the appellant.

Proclamation being made the Court is adjourned until Thursday at twelve o'clock.

Thursday, April 13th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. K. Jones it is ordered that Henry Hale Seymour, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Bunn it is ordered that A. Y. Merrill, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

704. The United States, vs. Appellant, The Steamship "Dimis Rodrigues" &c. Appellee.

Reargument of this Cause was continued by Mr. E. K. Jones, of Counsel for the appellee and concluded by Mr. Assistant Attorney General Hoyt, of Counsel for the Appellant

741. The Northern Pacific Railroad Co., et al., vs. Plffs in Error. Serette O. Freeman in her own right & as Guardian &c.

This cause was argued by Mr. C. H. Burns, of Counsel for the Plaintiffs in Error, and submitted on a printed argument by Mr. Stanton Warburton, of Counsel for the defendant in error.

742. Kent K. Hayden, Receiver &c., vs. Appellant, The Chemical National Bank.

257. Kent K. Hayden, Receiver &c., vs. Appellant, George G. Williams et al.

Mr. Edward Winslow Briggs, of Counsel for the appellant, suggested the death of Kent K. Hayden and the appointment of John W. McDonald as his successor as Receiver of The Capital National Bank of Lincoln, Nebraska, and moved the Court to make the said John W. McDonald, Receiver as aforesaid, a party in these cases ac-

that the said John H. McDonald, as Receiver of the Capital National Bank of Lincoln, Nebraska, be, and he is hereby, made a party in this case.

No. 119. John H. McDonald, Receiver &c., Appellant, vs. The Chemical National Bank. This cause was argued by Mr. Edward Winslow Paige, of counsel, for the appellant, and Mr. George H. Yaman, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 14th, 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

251. John M. Schofield and A. A. Hayes, Appellants, vs. The Horse Springs Cattle Company. Appeal from the Supreme Court of the Territory of New Mexico.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that the appeal be, and the same is hereby, dismissed

Friday, April 7th, 1899. Continued.

52. The United States, Appellant, vs. The Oregon & California Railroad Company et al. (This cause was argued by Mr. Solicitor General, Richards of counsel for the appellant, and Mr. L. E. Payson, of counsel for the appellees.)

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 17th, 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. J. Rose it is ordered that William H. Newman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that William E. O'Neill, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence A. Miller it is ordered that M. H. Barnett, Esquire, of Houston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. S. Henson it is ordered that Ben B. Cain, Esquire, of Tyler, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

927. The Lake Shore & Michigan Southern Railway Company, Plff in Error, vs. Henry C. Smith. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Gray and
Mr. Justice [illegible]

147. The Atchison, Topeka & Santa Fé Railroad Company, Plff in Error, vs. H. T. Matthews and M. L. Trudell copartners as Matthews & Trudell

In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Mr. Justice Brown delivered the opinion of the Court.

Dissenting:
Mr. Justice Harlan,
Mr. Justice Brown,
Mr. Justice Peckham and
Mr. Justice McKenna.

169. The Territory of New Mexico, Appellant, vs. The United States Trust Company of New York et al

On consideration of the petition for rehearing in this cause, It is now here ordered by the Court that said petition be, and the same is hereby, granted, and the cause is taken on the printed briefs heretofore filed, and leave is granted to file additional briefs on or before May 1st, if counsel shall be so advised.

Mr. Chief Justice Fuller delivered the opinion of the Court.

751. S. T. Chapman, Petitioner, vs. The Yellow Poplar Lumber Company. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

674. H. B. Austin, Plaintiff in Error, vs. The State of Tennessee. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 16th next, after the causes heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

717. Anton Glavé, Petitioner, vs. The Pennsylvania Company. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument,

of Counsel thereupon had, as well in support of
the same as against the same, It is now here ordered by
the Court that said petition be, and the same is
hereby, denied.

per Mr. Chief Justice Fuller.

748. Marvin F. Sauls, Petitioner, vs. The Western North Carolina Land Company, et al. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

682. William J. Bryan, Jesse D. Carr, William Mathews et al., Plaintiffs in Error, vs. The United States. In Error to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of Counsel for the defendant in error, and a stipulation of Counsel for the respective parties to dismiss the writ of error in this cause having been filed, Therefore, in pursuance of said stipulation,

now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Mr. Chief Justice Fuller.

760. William J. Cruickshank et al., Appellants, vs. George R. Biddle. Mr. Solicitor-General Richards, in behalf of Counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause, and a request of Mr. James L. Bishop to be heard either orally or by printed brief on behalf of certain interested parties.

744. S. Duffield Mitchell, Trustee, vs. Riff in Error, J. McD. Scott, Bankrupt.

745. S. Duffield Mitchell, Receiver &c., vs. Riff in Error, John O. McClure et al.

Mr. S. Duffield Mitchell, of Counsel for the plaintiff in error, submitted to the consideration of the Court motions to advance these cases.

767. Samuel Nelson, vs. Riff in Error, Dennis Moloney. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. A. J. Rose, in support of the same, and Mr. William H. Newman in opposition thereto.

Ex parte In the matter of Nelson K. Green, Petitioner.

Mr. Morgan N. Beach in behalf of Counsel for the Petitioner, submitted to the Consideration of the Court a motion for leave to file a petition for a writ of mandamus herein;

The Florida Mortgage and Investment Company, Limited, Petitioner, vs. Daniel A. Finlayson, in his own right and as Administrator, &c.

775.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. M. B. K. Pettingill and Mr. A. M. Shackleford, in support of the same, and leave granted Counsel for the respondent to file printed brief in opposition thereto.

The Chicago, Milwaukee & St. Paul Railway Co., Petitioner, vs. Norman Clark.

773.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. George K. Peck, Mr. Burton Hanson, and Mr. C. W. Bangs, in support of the same, and Mr. A. J. Ross, in opposition thereof.

911. James L. Uller et al., Appellants, vs. B. J. Franklin, Governor, et al. Mr. Frederic D. McKenney, in behalf of counsel for the appellants, submitted to the consideration of the Court proof of service of notice of the motion to enter judgment nunc pro tunc herein.

The St. Louis, Alton & Springfield Railroad Company et al., Plffs in Error, vs. Seth F. Crews et al. Mr. Frederic D. McKenney, of counsel for the defendants in error, presented a certificate from the Clerk of the Supreme Court of the State of Illinois and submitted to the consideration of the Court a motion to docket and dismiss this cause pursuant to the 6th rule.

777. The Board of County Commissioners of Pratt County, Kansas, Petitioners, vs. The Society for Savings. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. S. S. Ashbaugh, in support of the same.

683. The Steamship "Benito Estenger" &c., Appellant, vs. The United States. On motion of Mr. Harrington Putnam, of counsel

and consent of counsel for the appellee, it is ordered by the Court that the Clerk of this Court return to the Clerk of the District Court certain original exhibits sent up with the record herein, retaining copies of the same.

781. Travis County, Texas, vs. The King Iron Bridge and Manufacturing Company. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Clarence A. Miller, in support of the same, and Mr. M. A. Gill, in opposition thereto.

462. The Columbus Construction Co., vs. Hoffin Bros., Crane Company. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles S. Holt, in support of the same, and Mr. S. S. Gregory and Mr. J. R. Custer, in opposition thereto.

789. The Columbus Construction Co., vs. Crane Company. Petitioner. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. S. S. Gregory and Mr. J. R. Custer, in support of the same, and Mr. Charles S. Holt, in op

761. Charles S. Morrow et al., Petitioners, vs. The Texas Consolidated Compress & Manufacturing Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. W. S. Herndon, in support of the same, and Mr. J. M. McCormick, in opposition thereto.

H. The Mayor, Aldermen and Commonalty of the City of New York, et al., Appellants, vs. Robert H. Workman. This cause was re-argued by Mr. Harrington Putnam, of counsel for the appellee, and Mr. Theodore Connoly, of counsel for the appellants.

943. Amadee D. Moran et al., Purchasing Trustees, Petitioners vs. Charles Dillingham. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. W. Campbell, of counsel for the petitioners, and Mr. George Clark, of counsel for the respondent.

944. The Louisville & Nashville Railroad Co., et al., Appellants, vs. Henry H. Behlmer. The argument of this cause was commenced by Mr. Ed. Baxter

appellants, and continued by Mr. C. B. Northrop, of counsel for the appellee.)

(Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 18th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Horace Gray
David J. Brewer
Henry B. Brown, Associate
George Shiras Jr. Justices
Rufus W. Peckham
Joseph McKenna

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. Fred Ball it is ordered that Edward Taylor Fenwick, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. J. Fisher it is ordered that Theodore DeWitt, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. S. Ashbaugh it is ordered that A. A. Godard, Esquire, of Toledo, State of Ohio,

admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that the call of the docket would be suspended for the term on Friday, the 28th instant, and that the Court would adjourn for the term on Monday, May 22nd next.

Alcinda M. Chappell, Thomas C. Chappell, and Thomas C. Chappell, Trustee, vs. Appellees in Error, The Edmondson Avenue, Catonsville & Ellicott City Electric Railway Company. In Error to the Circuit Court of Baltimore County, State of Maryland.

258.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the tenth rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per M. Chief Justice Fuller.

Tuesday, April 18th, 1899. Continued.

9111. The Louisville & Nashville Railroad Co. et al. vs. Henry H. Behlmer. Appellants. The argument of this cause was continued by Mr. C. B. Northrop, of Counsel for the appellee, and concluded by Mr. Ed. Baxter, of Counsel for the appellants.

9116. Lucy P. Davis et al. vs. Louis Coblens et al. Plffs in Error, The argument of this cause was commenced by Mr. T. H. Mackey, of Counsel for the plaintiffs in error, and continued by Mr. J. J. Darlington, of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice,
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Job Barnard it is ordered that William A. McKinney, Esquire, of Binghamton, State of New York, and James P. Henrick, Esquire, of Wellington, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

777. The Board of County Commissioners of Pratt County, Kansas, Petitioner, vs. The Society for Savings. On motion of Mr. James P. Henrick, of counsel for the respondent,

leave is hereby granted him to file a printed

916. Suey P. Davis et al., vs. Plff in Error, Louis Coblens et al. — The argument of this cause was continued by Mr. J. J. Darlington, of counsel for the defendants in error, and concluded by Mr. P. A. Mackey, of counsel for the plaintiffs in error.

917. William M. Price, Admr. &c., vs. Appellant, The United States et al. — This cause was argued by Mr. John Goode, of counsel for the appellant, and Mr. F. B. Crosthwaite, of counsel for the appellees.

103. The United States, vs. Petitioner, Frank Dudley. — Mr. C. A. Prouty, of counsel for the respondent, suggested the death of Frank Dudley and moved the Court to make Frederick C. Dudley and Lindley M. Webb, Executors of the said Frank Dudley, the parties respondents in this cause. Whereupon, It is now here ordered by the Court that the said Frederick C. Dudley and Lindley M. Webb, Executors of Frank Dudley, deceased, be, and they are hereby, made the parties respondents in this cause.

103. The United States, vs. Petitioners, Frederick C. Dudley & Lindley M. Webb, Executors of Frank Dudley, deceased. — This cause was argued by Mr. Assistant Attorney

Counsel for the petitioner, and Mr. C. A. Prouty, of Counsel for the respondent.

118. Maude E. Kimball, Plaintiff in Error, vs. Harriet A. Kimball et al. This cause was argued by Mr. George Bell, of counsel for the plaintiff in error, and Mr. Samuel H. Arnold, of counsel for the defendants in error.)

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 20th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorables Melville W. Fuller, Chief Justice,
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. F. H. Raney it is ordered that R. E. L. Mountcastle, Esquire, of Morristown, State of Tennessee, and C. A. Hamilton, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

153. The Office Specialty Manufacturing Company, Appellant, vs. The Fenton Metallic Manufacturing Company.

This cause was argued by Mr. Melville Church, of counsel for the Appellant, and Mr. Charles E.

The Rio Grande Irrigation and Colonization Co.,
vs. Appellant,
Charles H. Gildersleeve,
Rio Grande Irrigation and Colonization Co.,
vs. Plff in Error,
Charles H. Gildersleeve,

254.
163.

Reargument of these cases was commenced by Mr. P. H. Maney, of counsel for the appellant and plaintiff in error, and continued by Mr. J. H. McGowan, of counsel for the appellee and defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 21st, 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank H. Hackett it is ordered that Hamilton G. Howard, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Albert Stickney, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

254. The Rio Grande Irrigation and Colonization Co., Appellant, vs. Charles N. Gildersleeve. — Reargument of these cases was continued by Mr. J. H. McGowan, of counsel for the appellee and defendant in error and concluded by Mr. F. H. Raney, of counsel for the appellant and plaintiff in error.

163. The Rio Grande Irrigation and Colonization Co., Plff in Error, vs. Charles N. Gildersleeve.

255. Charles E. Bolles, Plff in Error, vs. The Orling Company, (Limited). — It is ordered by the Court that this cause be, and the same is hereby, continued, until the next term.

257. John H. McDonald, Receiver, Appellant, vs. George F. Williams et al. — This cause was argued by Mr. Edward Winslow Paige, of counsel for the appellant, and Mr. Theodore De Witt, of counsel for the appellees.

256. James M. Sigafus, Plff in Error, vs. Dudley Porter et al. — The argument of this cause was commenced by Mr. Edmund Wilmore of counsel for the plaintiff in error and continued by Mr. Albert Stickney, of counsel for the defendants in error.

Monday, April 24th, 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Merrill Moores it is ordered that Cassius C. Shirley, Esquire, of Kokomo, State of Indiana, be admitted to practice as counsellor and counsellor of this Court and he was sworn accordingly.

906. N. P. Allen, as Receiver of The First National Bank of Little Rock, Arkansas, Plff in Error, vs. The United States National Bank of New York. In Error to the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit

Appeals for the Eighth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; And that the cause be and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Arkansas.

Per Mr. Justice McKenna.

237. Robert M. White, Plaintiff in Error, vs. August F. Leovy, Robert S. Leovy, and Henry L. Leovy. In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice McKenna.

The American Refrigerator Transit Company
vs.
Frank Hall, Treasurer of Arapahoe County, Colorado.

In Error to the Supreme Court of the State of Colorado.

976.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Harlan and
Mr. Justice White.

Oliver Wendell Holmes, Jr., as Ancillary Executor of the will of Oliver Wendell Holmes, deceased,
vs.
George D. Hurst.

Appeal from the United States Circuit Court of Appeals for the Second Circuit.

Appellant,

1911.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States

same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of New York.

Per Mr. Justice Brown.

190. The United States vs. Plff in Error, One Distillery et alia, and Henry Wollers, William Helm, R. H. Austin and J. H. Coffman, Claimants. In Error to the Circuit Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Harlan.

172. Thomas Cosgrove, vs. Appellant, Eugene D. Winney, United States Marshal for the Eastern District of Michigan. Appeal from the District Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the District Court of the United

was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court with a direction to discharge petitioner.

Per Mr. Chief Justice Fuller.

James L. Allen and Elizabeth B. Voorhies,
vs. Appellants,
No. 18. B. J. Franklin, Governor, et al.

It being brought to the attention of the Court that Elizabeth B. Voorhies, one of the appellants herein, departed this life November 18, 1897, leaving a last will and testament,

It is now here ordered by the Court that the decree hereinbefore entered January 3, 1899, be, and the same is hereby, vacated, and leave is given to make the Executors of said Elizabeth B. Voorhies parties hereto and to revive the cause accordingly.

Per Mr. Chief Justice Fuller.

William J. Cruickshank et al.,
vs. Appellants,
No. 740. George R. Bidwell.

On consideration of the motion to advance this cause,

It is now here ordered by the Court that said motion be and the same is hereby granted and the cause is

for argument on Monday, October 16th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

744. S. Duffield Mitchell, Trustee &c., vs. Plaintiff in Error, J. McD. Scott, Bankrupt.

On consideration of the motions to advance these cases for oral argument, it is now here ordered by the Court that said motion be, and the same is hereby, denied, but the cases will be taken on printed briefs on or before May 1st, inadvance, under the 32d Rule, if counsel shall be so advised.

Per Mr. Chief Justice Fuller.

745. S. Duffield Mitchell, Receiver &c., vs. Plaintiff in Error, John C. McClure et al.

761. Charles Morrow et al., vs. Petitioners, The Texas Consolidated Compress and Manufacturing Company.

On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of Certiorari, herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is,

773. The Chicago, Milwaukee & St. Paul Railway Company, Petitioner, vs. Herman Clark. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

777. The Board of County Commissioners of Stull County, Kansas, Petitioner, vs. The Society for Savings. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel, in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The Florida Mortgage and Investment Company, Limited, Petitioner,
vs.
786. Daniel A. Finlayson, in his own right and as Administrator &c.

On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of Certiorari, herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

Ex parte In the matter of Nelson H. Green, Petitioner,
5, Original.

On consideration of the motion for leave to file the petition of Nelson H. Green, It is now here ordered by the Court that said motion be, and the same is hereby granted.

It is further ordered by the Court that cause be shown by the Judges of the United States Circuit Court of Appeals for the First Circuit, before this Court, at Washington, on Monday, May 1st next, or as soon thereafter as counsel can be heard, why a writ of Certiorari should not issue.

Per Mr. Chief Justice Fuller.

The St. Louis, Alton & Springfield Railroad Company et al. vs. Seth F. Crews et al. (Plffs in Error.) On consideration of the motion to docket & dismiss this cause pursuant to the 6th Rule, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.

682. William J. Bryan et al., vs. The United States. (Plffs in Error.) On motion of Mr. Solicitor General Richards, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

262. Gilmore G. Scranton, vs. Eben S. Wheeler. (Plff in Error.) On motion of Mr. Solicitor General Richards, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

268. S. Endicott Peabody, Appt. vs. The United States.
88. J. Francisco Chaves, Appt. vs. The United States.

On motion of Mr. F. H. Raney, of counsel for the appellants, It is ordered by the Court that these cases be, and the same are hereby, continued until the next term, per stipulation of counsel.

746. Robert S. Leovy
v. Petitioner
The United States.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Alexander Porter Morse, Mr. A. J. Leovy and Mr. Victor Leovy, in support of the writ &c.

747. Julius Steinwender et al.,
v. Petitioners.
The Steamship Mexican Prince &c.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Lawrence Kneeland, Mr. Harrington Putnam and Mr. Lewis Cass Ledyard, in support of the same, and Mr. J. Parker Kirlin, in opposition thereto.

747. The Coeur d'Alene Railway & Navigation Company et al.
v. Petitioners,
William L. Standley.

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. B. Browne, Mr. A. S. Britton and Mr. C. W. Bunn, in support of the same, and Mr. John Goode and Mr. Willis Sweet, in opposition thereto.

779. The Sioux City, O'Neill & Weston Railway Co. et al.
v. Petitioners,

The petition for a writ of certiorari herein was sub-

sideration of the Court on printed arguments by Mr. Henry L. Taylor and Mr. John C. Coombs, in support of the same, and Mr. John L. Webster and Mr. George W. Wickersham, in opposition thereto.

Ex parte. In the matter of Jonas Grossmayer, Petitioner. Mr. Thomas H. Clark submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

756. The Yazoo & Mississippi Valley Railroad Co., et al., vs. Riffs in Error. Wirt Adams, State Revenue Agent. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. R. C. Beckett, in support of the same, and Mr. W. D. Guthrie, Mr. Edward Mayes and Mr. James Perkins, in opposition thereto.

770. Ada F. McDonnell, vs. Plff in Error. Llewellyn Jordan. The suggestion of a diminution of the record and motion for writ of certiorari were submitted to the consideration of the Court by Mr. George Kearney and Mr. R. W. Walker, in support of the same, and Mr. William Richardson and Mr. Lawrence Cooper, in opposition thereto.

795. Andrew Jacobsen, Petitioner vs. Oscar M. Springer. The petition for a writ of Certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. J. D. Rouse and Mr. William Grant, in support of the same, and Mr. Richard Delgny, in opposition thereto.

321. The United States et al, Appts, vs. Moses Hallowell,
322. " " " " " " " Emiline Mackey
323. " " " " " " " David S. Leatherwood
324. " " " " " " " Robert Carter
325. " " " " " " " Charles H. Hellen
326. " " " " " " " Mary Scroggins
327. " " " " " " " Fleming P. Jennings
328. " " " " " " " David M. Cracken
329. " " " " " " " Price Woody

On motion of Mr. John W. Clarke, of counsel for the appellees, leave is hereby granted the Clerk to issue the mandates in these cases.

296. The Township of Garfield et al Plffs in Error, vs. Lewis A. Riley. On motion of Mr. S. S. Ashbaugh, in behalf of counsel for the Plaintiffs in error, It is ordered by the Court that the Cause be, and the same is Hereby, Continued until the next term.

759. James M. Sigafus, Plff in Error, vs. Dudley Porter et al. The argument of this cause was continued by Mr. Albert Sterling of counsel for the defendants in error, and concluded by Mr. Edmund Wetmore, of counsel for the plaintiff in error.

761. The Board of County Commissioners of Scott County Kansas, Plff in Error, vs. The State of Kansas. This cause was argued by Mr. S. S. Ashbaugh, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. A. A. Godard, of counsel for the defendant in error.

763. The Louisville Trust Co., Petitioner vs. The Louisville, New Albany & Chicago Railway Co. et al. The argument of this cause was commenced by Mr. Swager Sherley of counsel for the petitioner, continued by Mr. A. H. Joline, of counsel for the respondents, and concluded by Mr. St. John Boyle, of counsel for the petitioner.

764. The City of Richmond, Petitioner, vs. The Southern Bell Telephone & Telegraph Company. The argument of this cause was commenced by Mr. C. V. Meredith of counsel for the petitioner.

Proclamation being made the Court adjourned

Thursday, April 25th 1889

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras Jr.,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf, by Mr. James Lowndes it is ordered that John H. P. Dodge, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

James L. Ullen and Elizabeth B. Voorhies,
vs. Appellants,
B. J. Franklin, Governor, etal.

No. 94.

Suggestion of death of Elizabeth B. Voorhies, one of the appellants, having been suggested,

Now, on motion of Mr. Frederic D. McKenney, of Counsel for the appellants, it is ordered by

H. A. Maginnis, Executors of the said Elizabeth B. Voorhies, deceased, be, and they are hereby, made parties Appellants in this cause.

94. James L. Utter and George Albright, Wesley Albright and W. A. Maginnis, Executors of Elizabeth B. Voorhies, deceased, Appellants, vs. B. J. Franklin, Governor; C. P. Leitch, Auditor, and C. M. Bruce, Secretary, Loan Commissioners of the Territory of Arizona. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Brown.

764. The City of Richmond, Petitioner, vs. The Southern Bell Telephone & Telegraph Company. The argument of this cause was continued by Mr. C. V. Meredith, of counsel for the petitioner, and Mr. Hill Carter and Mr. Addison L. Holladay

for the respondent, and concluded by M. N. S. Pollard, of Counsel for the petitioner.

765. George M. Israel
vs. Hiram Fox.
Charles F. Tute Receiver &c.

The argument of this cause was commenced by Mr. Francis Sullivan, Smith, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April 26th, 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank Sullivan Smith it is ordered that Martin Carey, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Warrington it is ordered that Isaac D. Nichols, Esquire, of New York City, and Warren R. Choate, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

765. George M. Israel, vs. Plff in Error, Charles F. Gale, Receiver &c. Reargument of this cause was continued by Mr. Frank Sullivan Smith, of counsel for the plaintiff in error, and Mr. Martin Conway, of Counsel for the defendant in error, and concluded by Mr. Frank Sullivan Smith, of counsel for the plaintiff in error.

767. Albert Wade vs. Petitioner, Travis County, Texas. Reargument of this cause was commenced by Mr. Joseph Paxton Blair, of Counsel for the petitioner, continued by Mr. Clarence A. Miller, of counsel for the respondent, and concluded by Mr. Frank W. Hackett, of counsel for the petitioner.

769. The Addyston Pipe & Steel Co., et al., vs. Appellants, The United States. On motion of Mr. Frank Spencer, of counsel for the appellants, leave is hereby granted Counsel for the appellant to file a brief in reply herein within one week.

769. The Addyston Pipe & Steel Co., et al., vs. Appellants, The United States. Reargument of this cause was commenced by Mr. Frank Spencer, of counsel for the appellants.

Thursday, April 27th 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorables Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. The Addyston Pipe & Steel Co., et al., vs. The United States. Appellants,

The argument of this cause was continued by Mr. Solicitor General Richards, of counsel for the appellee, and concluded by Mr. J. C. Warrington, of counsel for the appellants.

No. John McMullen, vs. Julia E. Hoffman, Executrix &c.

Petitioner

The argument of this cause was commenced by Mr. L. B. Cox, of counsel for the petitioner, and continued by Mr. Rufus Mallory, of counsel for the respondent.

Proclamation being made the Court is adjourned until to-mor-

Friday, April 28th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Joseph McKenna,
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. T. C. Bryan it is ordered that Claud E. Sheldon, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

697. The United States, Appellant, vs. The New York Indians

Mr. C. C. Binney, of Counsel for the appellant submitted to the Consideration of the Court a motion that the mandate in this cause be issued as of the 17th instant.

271. John McMullen, Petitioner, vs. Julia E. Hoffman, Executrix &c. By agreement of counsel this cause was continued by Mr. Rufus Mallory, of counsel for the respondent, and concluded by Mr. H. S. Mawry, of counsel for the petitioner.)

272. The Raton Water Works Co., Appellant, vs. The Town of Raton. This cause was argued by Mr. Henry A. Forster, of counsel for the appellant, and Mr. M. B. Laughlin, of counsel for the appellee.)

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. W. Holcomb it is ordered that William C. Case and Theodore M. Mallbie, Esquires, of Hartford, State of Connecticut, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Charles W. Dorr, Esquire, of New Whatcom, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that N. Genereux Dufour, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

738. Walter M. McCain et al., Appellants, vs. The City of Des Moines et al. Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

49. M. F. Morris et al., Appellants, vs. The United States. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this

same is hereby affirmed; and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings in accordance with the opinion of this Court.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice White & Mr. Justice Peckham.

(Mr. Justice Gray and Mr. Justice McKenna were not present at the argument and took no part in the decision.)

C. H. Bosworth, Receiver of The Chicago, Peoria & St. Louis Railway, Petitioner,
vs.
Terminal Railroad Association of St. Louis.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the Circuit Court of the United States for the Southern District of Illinois in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Illinois.

Per Mr. Justice Brown.

230. Elizabeth M. Humphries, by her next friend John H. Humphries, vs. Plaintiff in Error, The District of Columbia. } In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Court of Appeals, with directions to affirm the judgment of the Supreme Court of the District of Columbia.

(per Mr Justice Brewer.)

213. Amedee D. Moran et al, Purchasing Trustees, vs. Petitioners, Charles Dillingham. } On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be and the same is hereby

set aside and quashed, costs in this Court to be paid by respondent; and that this cause be and the same is hereby remanded to the said United States Circuit Court of Appeals to be there heard and determined according to law by a bench of competent judges.

(Per Mr. Justice Gray.)

248. Maude E. Kimball, Pltff in Error, vs. Harriet A. Kimball, John S. Kimball, James Kimball and Harriet S. James. In Error to the Surrogate's Court of the County of Kings, State of New York.

This cause came on to be heard on the transcript of the record from the Surrogate's Court of the County of Kings, State of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

(Per Mr. Justice Gray.)

767. Samuel Nelson, Pltff in Error, vs. Dennis Mulvey. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that

adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

781. Travis County, Petitioner, vs. The King Iron Bridge & Manufacturing Company. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

746. Robert S. Leovy, Petitioner, vs. The United States. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

747. The Coeur d'Alene Railway & Navigation Company et al., Petitioners vs. William L. Harding. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller

756. The Yazoo & Mississippi Valley Railroad Company et al., Plffs in Error, vs. Wirt Adams, State Revenue Agent. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller

770. Ada F. McDonnell, vs. Llewellyn Jordan. Plff in Error. On consideration of the suggestion of a diminution of the record and motion for a writ of certiorari in this cause, It is now here ordered by the Court that said motion be

779. The Sioux City, O'Neill & Western Railway Company et al., Petitioners. vs. The Manhattan Trust Company. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

793. Julius Steinwender et al., Petitioners vs. The Steamship "Mexican Prince" &c. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

795. Anders Jakobsen, vs. Oscar M. Spangel. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby granted on condition that petitioner pay one half of the costs of the record, and the printing thereof in case No. 413. It is further ordered that this case be heard with case No. 413 as one

(per Mr. Chief Justice Fuller.)

Ex parte In the matter of Jonas Grossmayer, Petitioner. On consideration of the motion for leave to file the petition for a writ of mandamus herein, it is now here ordered by the Court that said motion be, and the same is hereby, granted.

(per Mr. Chief Justice Fuller.)

Ex parte In the matter of Jonas Grossmayer, Petitioner. On consideration of the petition of Jonas Grossmayer, it is now here

Honorable David E. Bryant, Judge of the District Court of the United States for the Eastern District of Texas, holding the Circuit Court of the United States for the Eastern District of Texas, before this Court, at Washington, on Monday, October 9th next, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

697. The United States, Appellant, vs. The New York Indians. On consideration of the motion that the mandate in this cause issue as of the 19th of April, 1897. It is nowhere ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

259. James M. Sigafus, Plff in Error, vs. Audley Porter et al. It is ordered by the Court that a writ of certiorari issue herein to the United States Circuit Court of Appeals for the Second Circuit requiring the whole record and cause to be sent up to this Court for its consideration.

per Mr. Chief Justice Fuller.

340. Stanton Warburton, Plff in Error, vs. Matilda B. White et al. On consideration of the motions to dismiss or affirm in this cause and of the argument of counsel thereupon had, as well in support of, as against the same. It is now here ordered by the Court that said motions be, and the same are hereby, denied.

(per Mr. Chief Justice Fuller.)

761. The Board of County Commissioners of Scott County, Kansas, Plff in Error, vs. The State of Kansas. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(per Mr. Chief Justice Fuller.)

692. The Board of Supervisors of Presque Isle County, Plff in Error, vs. William J. Ashley. The motion to dismiss in this cause was submitted to the consideration of the Court on print

the same, and Mr. H. M. Duffield, in opposition thereto.

793. The American Express Co., vs. Plff in Error, F. A. Maynard, Attorney General. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. E. Warner, in support of the same, and Mr. Lewis Cass Ledyard, in opposition thereto.

793½ The American Express Co., vs. Plff in Error, F. A. Maynard, Attorney General. Mr. A. B. Duvall, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

806. The City of New Orleans, vs. Petitioner, John Fisher, Tutor, et al. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. A. General Dufour, Mr. S. L. Gilmore, Mr. B. K. Miller, and Mr. James J. McLaughlin, in support of the same, and Mr. Charles Louque, in opposition thereto.

376 D. P. Tarpey, Plff in Error, vs. Andrew Madsen. Mr. H. P. S. Curtis, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion that this cause be taken as submitted on the record and brief of counsel for the plaintiff in error pursuant to the stipulation of counsel on file, which, was opposed by Mr. B. Howell Jones, of counsel for the defendant in error.

805. N. Drusilla Mitchell, Petitioner, vs. The First National Bank of Chicago. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Theodore M. Mallbie, in support of the same, and Mr. William C. Case, in opposition thereto.

796. The Overweight Counterbalance Elevator Company, Petitioner, vs. Improved Order of Red Men's Hall Association. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Frederic D. McKenney and Mr. H. H. Hart, in support of the same, and Mr. M. A. Wheaton, in opposition thereto.

The St. Louis, Alton & Springfield Railroad Co., et al., vs. Seth F. Crews et al. (Plff in Error.)

Mr. Frederic D. McKenney, of counsel for the defendants in error, submitted to the consideration of the Court a motion to set aside the order extending the time for filing the record herein, and also a motion to docket and dismiss this cause pursuant to the 6th rule.

799. Josiah A. Gould et al., vs. Asa S. Hughes. (Petitioners)

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Eugene P. Carver and Mr. H. R. Edmunds, in support of the same.

734. Albert R. Whittier, vs. Elisha A. Packer. (Petitioner.)

The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argument by Mr. Chapin Brown and Mr. A. D. Hill, in support of the same, and Mr. James J. Storrow, in opposition thereto.

299. The Missouri, Kansas & Texas Railway Co. of Texas, vs. J. M. Evans. (Plff in Error.)

The motions to dismiss or affirm in this cause were submitted to the

Court on the record and printed arguments by Mr. A. Shilton in support of the same, and Mr. James Hagerman and Mr. J. M. Swayne in opposition thereto.

755. George M. West Company, Appellant, vs. LaBrosse Company. This cause was submitted to the Court on the record and printed arguments by Mr. H. H. Henry, of counsel for the appellant, and Mr. J. N. Kelston, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday, the 15th instant, at twelve o'clock

Monday, May 15th, 1899.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Griggs it is ordered that John S. Woodruff, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Goode it is ordered that Richard H. Liggett, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. L. Cole it is ordered that W. B. [illegible]

of Parkersburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hallie D. Davidge, it is ordered that Francis P. Fleming, Esquire, of Jacksonville, State of Florida, and William B. McElwaine, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

169. The Territory of New Mexico, Appellant, vs. The United States Trust Company of New York et al. This cause coming on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court of the Territory of New Mexico in this cause be, and the same is hereby, vacated and set aside. Per Mr. Justice McKenna.

169. The Territory of New Mexico, Appellant, vs. The United States Trust Company of New York et al. Appeal from the Supreme Court of the Territory of New Mexico. This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the

hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in accordance with the opinion of this Court.

(Per Mr. Justice McKenna.)

136. Adolph Cohn, Appellant, vs. Angelina Daily and A. J. Meehan. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice McKenna.)

257. John H. McDonald, as Receiver, Appellant, vs. George L. Williams and John B. Dodd. On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the [illegible]

answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Peckham.

367. Samuel A. Stone, Auditor; Charles Finley, Secretary of State; and George W. Long, Treasurer of the Commonwealth of Kentucky, and City of Louisville, Appellants, v. The Bank of Commerce. Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Peckham,

Dissenting:
Mr. Justice Harlan and
Mr. Justice White.

363. City of Louisville, Appellant vs. Bank of Commerce. Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Peckham,

Dissenting:
Mr. Justice Harlan and
Mr. Justice White.

406. The Fidelity Trust & Safety Vault Company, Appellant vs. The City of Louisville. Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with

Monday, May 15th, 1899. Continued.

407. The Fidelity Trust & Safety Vault Company, vs. Samuel H. Stone, Auditor of Public Accounts, Charles Finley, Secretary of State, W. George W. Long, Treasurer of the State of Kentucky, and The City of Louisville, Appellant, Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

408. The Louisville Trust Company, vs. The City of Louisville, Appellant, Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

The Louisville Trust Company, Appellant,
vs.
Samuel A. Stone, Auditor of Public Accounts; Charles Finley, Secretary of State; and George W. Long, Treasurer of the State of Kentucky, and The City of Louisville.

Appeal from the Circuit Court of the United States for the District of Kentucky.

109.

357.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

Samuel A. Stone, Auditor; Charles Finley, Secretary of State; and G. W. Long, Treasurer of the Commonwealth of Kentucky; City of Louisville et al., Appellants,
vs.
The President, Directors and Company of the Bank of Kentucky.

Appeal from the Circuit Court of the United States for the District of Kentucky.

356.

360.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged, and decreed by this Court

Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

City of Louisville, Appellant, v. The President, Directors and Company of the Bank of Kentucky. Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed, with costs.

Per Mr. Justice White.

Samuel A. Stone, Auditor of Public Accounts, Charles Finley, Secretary of State, and George B. Long, Treasurer of the Commonwealth of Kentucky, and City of Louisville, Appellants, v. The Louisville Banking Company. Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United Stat

counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

361. City of Louisville, Appellant, vs. The Louisville Banking Company. Appeal from the Circuit Court of the United States for the District of Kentucky.

365.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

387. Samuel H. Stone, Auditor; Charles Finley, Secretary of State; and G. W. Long, Treasurer of the Commonwealth of Kentucky, et al, Appellants, vs. The Deposit Bank of Frankfort. Appeal from the Circuit Court of the United States for the District of Kentucky.

405.

This cause came on to be heard on the transcript of the

District of Kentucky, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice White.

City of Louisville, Appellant, v. The Citizens National Bank. Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice White.

The Citizens' National Bank of Louisville, Appellant, v. Samuel H. Stone, Auditor of Public Accounts; Charles Finley, Secretary of State; and George L. Long, Treasurer of the State of Kentucky, and The City of Louisville. Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of

for the District of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to take such further proceedings as may be in conformity with the opinion of this Court.

Per Mr. Justice White.

385. Samuel H. Stone, Auditor, Charles Finley, Secretary of State, and G. H. Long, Treasurer of the Commonwealth of Kentucky, et al., Appellants, v. The Farmers' Bank of Kentucky. Appeals from the Circuit Court of the United States for the District of Kentucky.

386. The Farmers' Bank of Kentucky, Appellant, v. Samuel H. Stone, Auditor, Charles Finley, Secretary of State, and G. H. Long, Treasurer of the Commonwealth of Kentucky, et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, on appeal and cross-appeal, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and de-

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Court in this cause so far as it granted the relief prayed as against the defendants other than the City of Georgetown and the County of Scott be, and the same is hereby, affirmed but in other respects said decree so far as it adjudicated against the complainant and in favor of the defendants the City of Georgetown and the County of Scott, those defendants not having been parties or privies to the judgments pleaded as res judicata be, and the same is hereby, affirmed, the costs in each case to be paid by the respective appellants.

Per Mr. Justice White.

The Third National Bank of Louisville, Appellant,
vs.
Samuel H. Stone, Auditor of Public Accounts, Charles Finley, Secretary of State, and George W. Long, Treasurer of the State of Kentucky, and The City of Louisville

Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, it is now ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby

proceedings in conformity with the op
this Court.

Per Mr. Justice Gray

City of Louisville,
361 vs. Appellant,
The First National Bank.

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Per Mr. Justice Gr

The First National Bank
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634. vs. Appellant,
Samuel H. Stone, Charles Finley,
and George W. Long et al.

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and the same is hereby, remanded to the said Circuit Court with directions for such further proceedings as may be in conformity with the opinion of this Court.

Per Mr. Justice White.

635. The First National Bank of Louisville, Appellant, vs. The City of Louisville, Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for such further proceedings as may be in conformity with the opinion of this Court.

Per Mr. Justice White.

359. City of Louisville, Appellant, vs. Bank of Louisville. Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of

States for the District of Kentucky, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice White.

Dissenting:
Mr. Justice Harlan.

358. Samuel H. Stone, Auditor; Charles Finley, Secretary of State; and J. W. Long, Treasurer of the Commonwealth of Kentucky, and The City of Louisville, Appellants, vs. The Bank of Louisville. Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Dissenting:
Mr. Justice Harlan.

Per Mr. Justice White.

Monday, May 15th, 1899, Continued.

216. The United States, Appellant, vs. John Krall, } Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, for the want of jurisdiction.

(per Mr. Justice Gray.)

265. George M. Israel, vs. Charles F. Cole, as Receiver of the Elmira National Bank. } In Error to the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

(per Mr. Justice Gray.)

187. The First National Bank of Concord, New Hampshire, Plaintiff in Error, v. Edward Hawkins, Receiver of The Indianapolis National Bank of Indianapolis. In Error to the United States Circuit Court of Appeals for the First Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the Circuit Court of the United States for the District of New Hampshire and of the said United States Circuit Court of Appeals in this cause be, and the same are hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in conformity with the opinion of this Court.

Per Mr. Justice Shiras.

267.

979. The Raton Water Works Company, Appellant, v. The Town of Raton. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On

adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed, each party to pay its own costs on this appeal; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to amend its decree by directing the district Court to dismiss the bill without prejudice to the right of the Complainant to proceed.

per Mr Justice Shiras

Albert Wade — Appeal from the United
vs. States Circuit Court of Appeals for
Travis County Texas — the Fifth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgments of the Circuit Court of the United States for the Western District of Texas and of the said United States Circuit Court of Appeals in this Cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Western District of Texas for further proceedings in conformity with the opinion of this Court.

253 The Office Specialty Manufacturing Company, vs. The Fenton Metallic Manufacturing Company. — Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to order the bill to be dismissed.

(Per Mr. Justice Brown.)

247. The Northern Pacific Railroad Company and The Northern Pacific Railway Company, vs. Serette O. Freeman, in her own right and as guardian of Sarah Freeman, a minor, and Lennie Freeman, a minor, by her guardian ad litem C. E. Griffin. — In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by

counsel. On consideration whereof, it is now ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Washington with directions to grant a new trial.

(Per Mr. Justice Brown.)

Dissenting:
Mr. Chief Justice Fuller and
Mr. Justice Harlan.

William M. Price, Administrator of Henry C. Miller, deceased, Appellant, v. The United States et al. Creek Indians. } Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

(Per Mr. Justice Brewer.)

29. The Louisville, New Albany & Chicago Railway Company, Petitioner, vs. The Louisville Trust Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Kentucky with directions to dismiss the bill as against The Louisville Trust Company.

Per Mr. Justice Gray.

30. The Louisville, New Albany & Chicago Railway Company, Petitioner, vs. The Louisville Banking Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of

United States for the District of Kentucky in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District aforesaid with directions to enter a decree in conformity with the opinion of this Court.

(Per Mr. Justice Gray.)

199. The Missouri, Kansas & Texas Railway Company of Texas, Pl'ff in Err'r, v. J. M. Evans. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

(Per Mr. Chief Justice Fuller.)

376. D. P. Tarpey, Pl'ff in Err'r, v. Andrew Madsen. On consideration of the motion to compel the submission of this cause under the 50th rule, pursuant to a stipulation of counsel, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

697. The Board of Supervisors of Presque Isle County, vs. Plff in Error, William J. Ashley. On consideration of the motion to dismiss in this cause, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

723. The American Express Co., vs. Plff in Error, T. A. Maynard, Attorney General. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

723. The American Express Co., vs. Plff in Error, T. A. Maynard, Attorney General. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 16th next, after Case No. 760.

per Mr. Chief Justice Fuller.

734. Albert R. Whittier, Petitioner, vs. Elisha A. Parker. On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

796. The Overweight Counterbalance Elevator Company, Petitioner vs. Improved Order of Red Men's Hall Association. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

799. Josiah A. Gould et al., Petitioners, vs. Asa S. Hughes, Owner and Claimant of the "Pug" Albert H. Hughes. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

(per Mr. Chief Justice Fuller.)

805. A. Drusilla Mitchell, Petitioner, vs. The First National Bank of Chicago. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

(per Mr. Chief Justice Fuller.)

886. The City of New Orleans. vs. John Fisher, Tutor &c. et al. Petitioner, On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of Counsel thereupon had, as well in support thereof as against the same, it is ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

The St. Louis, Alton & Springfield Railroad Co. et al. Plffs in Error, vs. Seth F. Crews et al. On consideration of the motion to set aside the order of the Chief Justice of Illinois of March 7th. extending the time for filing the record in this cause, and of the motion to docket & dismiss this cause pursuant to Rule 9, It is now here ordered by the Court that leave be, and the same is hereby, granted to docket this cause, that said order be, and the same is hereby, set aside and set aside, and the cause will stand dismissed if the record be not filed on or before June 1st. 1899.

Per Mr. Chief Justice Fuller.

1193. William Stephens et al. v. The Cherokee Nation. Appellants, Appeal from the United States Court in the Indian Territory. 438.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

436. J. O. Cobb, Henry C. Cobb et al. v. The Cherokee Nation. Appellants and Plffs in Error, Appeal from and In Error to the United States Court in the Indian Territory. 445.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

Samuel C. Caldwell et al.,
vs. Appellants,
The Choctaw Nation.

Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

Mrs. Jestern Eastoe et al.,
vs. Appellants,
D. H. Mayes, Principal Chief of the Cherokee Nation, and The Cherokee Nation.

Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice [illegible]

Dissenting:

1116. Robert M. Anderson et al. vs. S. N. Mayes, Principal Chief of the Cherokee Nation, and The Cherokee Nation. Appellants, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller,
Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1117. Moses Clark & M. A. Clark et al. vs. The Choctaw Nation. Appellants, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller,
Dissenting: Mr. Justice White [illegible]

1116. 1116. 1117. 450.

The Choctaw Nation, Appellant, vs. Joanna Riddle et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller,

dissenting:
Mr. Justice White and Mr. Justice McKenna.

The Choctaw Nation, Appellant, vs. John Skaggs. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller,

dissenting:

451. The Choctaw Nation, Appellant, vs. Mary Godard et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel; On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

Dissenting: Mr. Justice White and Mr. Justice McKenna.

452. The Choctaw Nation, Appellant, vs. John M. Grady et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting: Mr. Justice White and Mr. Justice McKenna.

453. The Choctaw Nation, Appellant, vs. F. R. Robinson, } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

454. William P. Morgan et al., Appellants, vs. The Creek Nation, } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed, with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

456. Lucinda Bridges et al., Appellants, vs. The Creek Nation, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

(per Mr. Chief Justice Fuller.)

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

457. The Cherokee Nation, Appellant, vs. Annie Parker et al., Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Chief Justice Fuller.)

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

458. The Cherokee Nation, Appellant, vs. Eliza Killian et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1159. Robert N. Bell et al., Appellants, vs. The Cherokee Nation, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:

1160. Mary E. Truitt et al., Appellants, vs. The Cherokee Nation, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

461. Jennie Johnson et al., Appellants, vs. The Creek Nation, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

461. Juletta Jordan et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

465. Samuel C. Ward et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with cost.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1166. Mary A. Wasson et al., Appellants, vs. The Muskogee Nation, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1169. The Chickasaw Nation, Appellant, vs. A. B. Roff et al., Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1470. The Chickasaw Nation, Appellant, vs. Jesse L. Troop. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1471. The Chickasaw Nation, Appellant, vs. Mrs. A. J. [illegible]. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:

1172. The Chickasaw Nation, Appellant, vs. Andrew B. Hill et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna,

1173. The Chickasaw Nation, Appellant, vs. William P. Thompson et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna,

1471. The Chickasaw Nation, Appellant, vs. Joe N. Love. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1475. The Chickasaw Nation, Appellant, vs. G. W. Poe et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McK

1176. The Chickasaw Nation, Appellant, vs. Daniel McDuffie et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel; On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1177. The Chickasaw Nation, Appellant, vs. Collin J. McKinney et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel; On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

478. The Chickasaw Nation, Appellant, vs. Edward A. Bounds et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed and costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

479. The Chickasaw Nation, Appellant, vs. Oliver Lee King et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White, Mr. Justice McKenna

1180. The Chickasaw Nation, Appellant, v. J. C. Washington et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

1181. The Chickasaw Nation, Appellant, v. John M. Pilzbugh et al., Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

482. The Chickasaw Nation, Appellant, vs. Charles L. Jones et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

483. The Chickasaw Nation, Appellant, vs. J. B. Sparks et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1184. The Chickasaw Nation, Appellant, vs. Evans Hill et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1185. The Chickasaw Nation, Appellant, vs. P. D. Arnold et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

486. The Chickasaw Nation, Appellant, vs. Joseph H. Brown et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with cost.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

487. The Chickasaw Nation, Appellant, vs. W. S. Jones et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with cost.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1488. The Chickasaw Nation, Appellant, vs. J. M. D. Holford et al., Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1489. The Chickasaw Nation, Appellant, vs. N. A. Poyner et al., Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1490.

1491.

The Chickasaw Nation, Appeal from the United
vs. Appellant, States Court in the In-
J. & C. Albright et al. dian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

The Chickasaw Nation, Appeal from the United
vs. Appellant, States Court in the
James Doak et al. Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:

1492. The Chickasaw Nation, Appellant, vs. C. C. Pasemore, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1493. The Chickasaw Nation, Appellant, vs. George P. Laflin, et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs;

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1491. The Chickasaw Nation, Appellant, vs. A. H. Love et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

1495. The Chickasaw Nation, Appellant, vs. O. H. Stacy. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

496. The Chickasaw Nation, Appellant, vs. Richard C. Higgs et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

497. The Chickasaw Nation, Appellant, vs. John L. Woody, Sr. et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

498. The Chickasaw Nation, Appellant, vs. John H. Cornish, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

499. The Chickasaw Nation, Appellant, vs. Ella M. Swain et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

500. The Chickasaw Nation, Appellant, vs. Frank Standifer. } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

501. The Chickasaw Nation, Appellant, vs. W. P. Bradley et al. } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

502. The Chickasaw Nation, Appellant, vs. W. V. Alexander et al., Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

503. The Chickasaw Nation, Appellant, vs. J. W. Sparks et al., Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

504. The Chickasaw Nation, Appellant, vs. William R. Story et al. } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

505. The Chickasaw Nation, Appellant, vs. J. H. Archard, Sr., et al. } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

516. The Chickasaw Nation, Appellant, vs. W. S. Keyes. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

507. The Chickasaw Nation, Appellant, vs. Clay McCoy. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

508. The Chickasaw Nation, Appellant, vs. B. J. Vaughan et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

509. The Chickasaw Nation, Appellant, vs. J. Mack Dorchester et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

510. The Chickasaw Nation, Appellant, vs. Sallie Duncan, } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

511. The Chickasaw Nation, Appellant, vs. Dora Phillips et al., } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:

512. The Chickasaw Nation, Appellant, vs. W. T. Lancaster. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

513. The Chickasaw Nation, Appellant, vs. John E. Goldsby et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

514. The Chickasaw Nation, Appellant, vs. T. A. East, } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

515. The Chickasaw Nation, Appellant, vs. John C. Bradshaw, } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

Dissenting:

516. The Chickasaw Nation, Appellant, vs. Thomas M. Graham. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

517. The Chickasaw Nation, Appellant, vs. William H. Burch et al., (J. W. Howard et al.), Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

518. The Chickasaw Nation, Appellant, vs. Sarah Palmer et al. } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

519. The Chickasaw Nation, Appellant, vs. Nannie Watkins et al. } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

570. The Chickasaw Nation, Appellant, vs. John P. Holder et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

571. The Chickasaw Nation, Appellant, vs. Sarah Jones et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

572. The Chickasaw Nation, Appellant, vs. Nellie Worthy et al. } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

523. The Chickasaw Nation, Appellant, vs. John Sartin et al. } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:

524. The Chickasaw Nation, Appellant, v. N. B. Woolsey et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

525. The Chickasaw Nation, Appellant, v. William A. Arnold et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that, the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justi[illegible] McK[illegible]

526. The Chickasaw Nation, Appellant, v. Alitha Paul and Jimmy Paul. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

527. George H. Peery et al., Appellants, v. The Chickasaw Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

578. The Chickasaw Nation, Appellant, vs. Mary E. Stinett et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

599. The Chickasaw Nation, Appellant, vs. Clemon Clay Stinett et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

530. The Chickasaw Nation, Appellant, vs. William Brown, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

531. The Chickasaw Nation, Appellant, vs. DeWitt C. Lee et al, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

532. The Chickasaw Nation, Appellant, vs. Annie J. Hamilton et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

533. The Chickasaw Nation, Appellant, vs. N. R. Pittman. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

534. The Chickasaw Nation, Appellant, vs. M. L. Carson et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

535. The Chickasaw Nation, Appellant, vs. Mary A. Shanks et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

536. The Chickasaw Nation, Appellant, vs. Annie May Paul. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

537. Esther Clark et al., Appellants, vs. The Muskogee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

538. Delilah Tuck et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

539. Caleb H. Hubbard et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

540. Delphi Ann McNally et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

541. Mary L. Brashear et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

542. S. K. Condry et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

543. Mariam A. Dial et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

5144. N. P. Munson et al., Appellants, vs. The Cherokee Nation, Appellee. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

5145. George Hubbard et al., Appellants, vs. The Cherokee Nation, Appellee. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

516. Louisa E. Trotter et al., Appellants, vs. The Cherokee Nation, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

517. Samuel C. Hill et al., Appellants, vs. The Cherokee Nation, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

5748. P. L. Russell et al., vs. The Cherokee Nation, Appellants, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

5749. Mary E. Baird et al., vs. The Cherokee Nation, Appellants, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice [illegible]

550. Mozart Binns et al., Appellants, v. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

551. Catharine V. Smith et al., Appellants, v. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed, with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

552. Thomas Henley et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

553. Hezekiah Henley et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

554. William M. McGee et al., Appellants, vs. The Cherokee Nation, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting: Mr. Justice White and Mr. Justice McKenna.

555. Mary A. Singleton et al., Appellants, vs. The Cherokee Nation, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

556. Elizabeth A. Brown et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

557. Hannah Flippin et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

558. J. M. Gumbill et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

559. Mary T. Brewer et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:

Monday, May 15th, 1899. Continued.

560. Joseph M. Abercrombie et al., Appellants, v. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

561. William J. Watts et al., Appellants, v. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

562. Agnes D. Hook et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

563. Elizabeth Page et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

564. George Teague et al., Appellants, vs. The Cherokee Nation, } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel; On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

565. B. F. Culp et al., Appellants, vs. The Cherokee Nation, } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel; On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

566. Eliza Mayberry et al. vs. Appellants, The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

567. David Bales et al., vs. Appellants, The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

568. John L. Lloyd et al., Appellants, v. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

569. A. H. Rutherford et al., Appellants, v. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

570. Cynthia A. Braught et al., Appellants, vs. The Cherokee Nation. } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Chief Justice Fuller.)

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

571. Eliza M. Black et al., Appellants, vs. The Cherokee Nation. } Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

(Per Mr. Chief Justice Fuller.)

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

Monday, May 15th, 1899, Continued.

572. A. M. and Fannie Archer et al, Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

573. George D. Hopper et al, Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs. Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

574. David C. Bayes et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

(per Mr. Chief Justice Fuller.)

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

575. W. J. Rowell et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

(per Mr. Chief Justice Fuller.)

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

576 Valinda Armstrong et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

577 Cynthia Goin et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

578. Susan S. Bennight et al., vs. The Choctaw Nation. Appellants, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller,
Dissenting:
Mr. Justice White and Mr. Justice McKenna.

577. Martha J. Wade et al., vs. The Cherokee Nation. Appellants, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.
Dissenting:

587. The Choctaw Nation, Appellant, vs. Martha Jones et al, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

Dissenting:
Mr Justice White and Mr Justice McKenna.

583. The Choctaw Nation, Appellant, vs. Charles Goodall et al, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

Dissenting:
Mr Justice White and Mr Justice McKenna.

584. The Choctaw Nation, Appellant vs. J. T. Bottoms et al, Appeal from the United States Court in the Indian Territory

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

585. The Choctaw Nation, Appellant vs. George H. Brooks et al, Appeal from the United States Court in the Indian Territory

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, Affirmed with costs.

Per Mr Chief Justice Fuller.

Dissenting:

586. The Choctaw Nation, Appellant, vs. L. L. Blade et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

587. The Choctaw Nation, Appellant, vs. Dick Randolph et al. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller,

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

588. The Choctaw Nation vs. Robert Jaine et al. Appellants, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel; On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

589. The Choctaw Nation vs. Henry Dillon et al. Appellants, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

590. The Choctaw Nation vs. William L. Thomas et al. Appellant, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

591. The Choctaw Nation, vs. A. H. Jones et al. Appellant, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

592. David Meredith et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

593. Sallie Pinderter et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

598. Christopher C. Steen et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

599. A. M. Couch et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

600. B. A. Presley et al., Appellants, vs. The Cherokee Nation, Appellee. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

601. John W. Elliott et al., Appellants, vs. The Cherokee Nation, Appellee. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice White and Mr. Justice McKenna.

608. Rebecca M. Walker et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

609. James H. Harrison et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

612. James B. Watts et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

613. J. M. Hazlewood et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

614. David Frakes et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

615. Jefferson Harp et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

616. Francis Armstrong et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now ordered adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

617. Joseph H. Rogers et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

618. Robert Isbell et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

619. Samuel Halenberger et al., Appellants, vs. The Cherokee Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

637. Sarah E. Baker, Appellant, vs. The Creek Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

643. J. W. Cate, Appellant, vs. The Choctaw Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

644. W. A. Cundiff et al. vs. The Choctaw Nation. Appellants, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

645. Maggie Slayton et al., vs. The Choctaw Nation. Appellants, Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

646. Nancy A. F. Willis et al., Appellants, v. The Choctaw Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

647. C. M. Coppedge, Appellant, v. The Choctaw Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

6118. Emma Nabors et al., Appellants, vs. The Choctaw Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

651. G. P. Phillips et al., Appellants, vs. The Choctaw Nation. Appeal from the United States Court in the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court in the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice White and Mr. Justice McKenna.

704. The United States, Appellant
vs.
The Steamship "Olinde Rodrigues," La Compagnie Generale Transatlantique, Claimant.

Appeal from the District Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of South Carolina, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, modified by ordering that the claimant pay all costs and expenses of the custody and preservation of the said Steamship "Olinde Rodrigues", and all other costs in this cause except the fees of counsel; and that no damages be allowed to the claimant; and that, upon payment of the costs and expenses aforesaid, the marshal forthwith discharge the said Steamship from his custody, and she be restored to the claimant, and the libel be dismissed; and that as so modified, the decree of said District Court be affirmed.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice McKenna.

107. The United States, Petitioner, vs. The Roessler & Hasslacher Chemical Company. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of counsel for the petitioner, and a stipulation of counsel for the respective parties to dismiss the writ of certiorari in this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of certiorari in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

102. The United States, Petitioner, vs. The Roessler & Hasslacher Chemical Co. On motion of Mr. Solicitor General Richards, leave is hereby granted the Clerk to issue the mandate in this cause.

824. The United States, Petitioner, vs. N. Buchanach & Co. The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed argument by Mr. Solicitor General Richards, in support of the same, and Mr. Stephen G. Clarke, in opposition thereto.

Ex parte. In the matter of James M. Sudden, Petitioner. Mr. A. W. Scott, of Counsel for the Petitioner, submitted to the consideration of the Court a motion for leave to file a Petition for a writ of habeas corpus herein.

890. The Central Trust Company of New York, Trustee, vs. Petitioner, The State of Minnesota, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Louis Marshall and Mr. J. L. Washburn, in support of the same, and Mr. J. B. Richards, in opposition thereto.

804. The City of Milwaukee, vs. Petitioner, Shailer & Schniglau Company, The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. C. H. Hamilton, in support of the same, and Mr. James G. Flanders, in opposition thereto.

821. The Atlantic Lumber Co., vs. Petitioner, The L. Bucki & Southern Lumber Co. The petition for a writ of certiorari herein was submitted to the consideration

printed arguments by Mr. Richard H. Liggett and Mr. P. F. McGarry, in support of the same, and Mr. A. Bisbee, in opposition thereto.

790. S. N. A. Clark et al., Receivers, vs. Plff in Error, The City of Kansas City, Kansas, et al. — Mr. A. L. Williams, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

823. The Insurance Company of North America, vs. Petitioner, The Steamship Prussia &c. — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Lawrence Kneeland, in support of the same, and Mr. E. P. Wheeler, in opposition thereto.

759. James M. Sigafus, vs. Plff in Error, Dudley Porter et al. — On motion of Mr. F. O. Hackett, in behalf of counsel, it is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument of the whole case.

778. The Pittsburgh & Lake Angeline Iron Co., vs. Plff in Error, The Marquette, Houghton & Ontonagon R. R. Co. — Mr. James K. Redington, in behalf of counsel for the de-

submitted to the consideration of the Court a motion for an order on the Court below to send up certain briefs.

310 of Oct. T. 1898. Edward S. Richards, v. The Chase Elevator Co., et al; Appellant, Appellant,

311 of Oct. T. 1898. Edward S. Richards, v. The Michigan Central R.R. Co. et al. Appellant, Appellant,

312 of Oct. T. 1898. Edward S. Richards, v. The Chicago & Grand Trunk R.R. Co. et al. Appellant, Appellant,

Mr. Alphonso Hart, of counsel for the appellant, submitted to the consideration of the Court a motion for leave to file a bill of review in these cases in the Circuit Court of the United States for the Northern District of Illinois.

5, Original. Ex parte In the matter of Nelson W. Green, Petitioner.

This cause having been called to the attention of the Court by Mr. W. W. Dodge, in behalf of counsel, and he having moved the Court to dismiss the petition herein pursuant to a stipulation of counsel this day filed herein. Therefore, in pursuance of said stipulation, It is now here ordered by the Court that the rule to show cause issued herein be, and the same is hereby, discharged and the petition dismissed without

737. Samuel Nelson, vs. Dennis Moloney. On motion of Mr. Duane E. Fox, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

727. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co., vs. William J. Montgomery. In Error to the Supreme Court of the State of Indiana.

It appearing to the Court that an authority of Counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

(Per Mr. Chief Justice Fuller.)

678. Philip Werlein, vs. The City of New Orleans. In Error, The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. S. L. Gilmore, in support of the same, and Mr. E. T. Merrick, in opposition thereto.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, May 22d. 1899

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D White
Rufus W. Peckham
Joseph McKenna
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. James E. Boyd it is ordered that J. R. McIntosh, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Needham it is ordered that John E. Pound, Esquire, of Lockport, State of New York, N. H. C. Miller, Esquire, of Chicago, State of Illinois, S. C. Trent, Esquire, of Pittsburgh, State of Pennsylvania, Smith M. Lindsley, Esquire, of Ohio,

Brooklyn, State of New York; J. A. Langfitt, Esquire, of Pittsburg, State of Pennsylvania; John Haskell Butler, of Boston, State of Massachusetts; E. B. Belden, Esquire, of Racine, State of Wisconsin; W. Holt Apgar, Esquire, of Trenton, State of New Jersey; and Uriah W. Tompkins, Esquire, of New York City, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred. Beall it is ordered that Carroll L. Swarts, Esquire, of Arkansas City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas N. Clark, it is ordered that J. Bernard Handlan, Esquire, of Wheeling, State of West Virginia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Newlett it is ordered that William B. Akers, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

236. The Chicago, Rock Island & Pacific Railway Company, Plff in Error, vs. E. N. Sturm. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice McKenna.

235. The Chicago, Rock Island & Pacific Railway Company, Plff in Error, vs. David Campbell. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is

for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice McKenna.

946. Lucy P. Davis, Millard P. McCormick and Virginia Alabama Company, vs. Louis Coblens and Martin Lauer. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice McKenna.

154. The Northern Pacific Railway Company, vs. James De Lacy. In Error to the United S. Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judg-

peals in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Washington for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham.

Dissenting:
Mr. Justice Harlan and
Mr. Justice McKenna.

271. John McMullen, Petitioner, vs. Julia E. Hoffman, Executrix of L. Hoffman, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Oregon.

Per Mr. Justice Peckham.

755. George M. West Company, vs. Lea Bros. & Company, Appellant, } On a certificate from the United States Circuit Courts of Appeals for the Fourth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice White.

11. The Missouri, Kansas & Texas Railway Company vs. McCann & Smizer, a copartnership composed of William C. McCann and Milton B. Smizer, } In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

Dissenting:
Mr. Justice Harlan.

John H. McDonald, as Receiver of The Capital National Bank of Lincoln, Nebraska,
vs. Appellant,
The Chemical National Bank.
No. 242.
Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of New York.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice White,
Mr. Justice Peckham and
Mr. Justice McKenna.

The Rio Grande Irrigation and Colonization Company,
vs. Appellant,
Charles H. Gildersleeve.
No. 254.
Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Terri

On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the Territory of New Mexico.

Per Mr. Justice Shiras.

163. The Rio Grande Irrigation and Colonization Company, vs. Pltff in Error, Charles N. Gildersleeve. — In Error to the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Justice Shiras.

462. The Columbus Construction Company, vs. Pltff in Error, The Crane Company. — In Error to the Circuit Court of the United States for the Eastern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

motion to dismiss which was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with cost.

Per Mr. Justice Brown

The Columbus Construction Company,
vs. Petitioner,
The Crane Company.

737. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

On consideration of the petition for a writ of certiorari herein to the United State. Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon, had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied

Per Mr. Justice Brown

The United States,
vs. Petitioner,
Frederick C. Dudley and Lindley M. Webb, Executors of Frank Dudley, deceased.

103. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued

Here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Vermont.

Per Mr. Justice Brown.

215. The United States, Appellant, vs. The Rio Grande Dam and Irrigation Company and The Rio Grande Irrigation and Land Company. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to set aside the decree of dismissal, and to order an inquiry into the question whether the intended acts of the defendants in the construction of a dam and in appropriating the waters of the Rio Grande will substantially diminish the navigability of that stream within the limits of present navigability, and if so, to enter a decree

will so dismiss.

Per Mr. Justice Brewer.

(Mr. Justice Gray and Mr. Justice McKenna were not present at the argument and took no part in the decision of this case.)

263 The Louisville Trust Company, Petitioner, vs. The Louisville, New Albany & Chicago Railway Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals and the decree of the Circuit Court of the United States for the District of Indiana in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Indiana with directions to set aside the confirmation of sale, to inquire whether it is true as alleged that the foreclosure proceedings were made in pursuance of an agreement between the bondholders and stockholders to preserve the rights of both and to protect the interests of unsecured creditors; and that

between these parties to refuse to permit the confirmation of sale until the interests of unsecured creditors have been preserved, and to take such other and further proceedings as shall be in conformity to law.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice Peckham.

19. Sarah A. Oakes, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Gray.

264. The City of Richmond, Petitioner, vs. The Southern Bell Telephone and Telegraph Company. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was ar-

now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Virginia with directions for such further proceedings as may be in conformity with the principles of the opinion of this Court and consistent with this.

Per Mr. Justice Harlan.

25. The San Diego Land and Town Company, Appellant, vs. The City of National City and John L. Rowlson et al., Trustees of said City. } Appeal from the Circuit Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

8 of 21 U.S. 1897. The United States, v. Appellant, Earl B. Coe. On consideration of the petition for rehearing in this cause, It is now ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1118. Marcus A. Spurr, Petitioner, vs. The United States. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals and the judgment of the Circuit Court of the United States for the Middle District of Tennessee in this cause be, and the same are hereby, reversed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Middle District of Tennessee with a direction to set aside the verdict and grant a new trial.

per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Brown and
Mr. Justice McKenna.

303. Charles E. Pope, Receiver &c., vs. The Louisville, New Albany & Chicago Railway Company, Appellant. It is ordered by the Court that the petition for rehearing herein be filed, and leave is given to counsel for both parties to file such additional briefs within sixty days as they may be advised.

Per Mr. Chief Justice Fuller.

678. Philip Werlein, vs. The City of New Orleans, Plff in Error. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

778. The Pittsburgh & Lake Angeline Iron Company, vs. The Cleveland Iron Mining Co., Plff in Error. On consideration of the motion for an order on the Court below to send up to this Court certain briefs, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

790. S. H. H. Clark et al. Receivers, Plffs in Error, vs. The City of Kansas City, Kansas, et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on Monday, October 16th next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

804. The City of Milwaukee, Petitioner, vs. Shailer & Schmiglau Company. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

870. The Central Trust Company of New York, Trustee, Petitioner vs. The State of Minnesota. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari,

for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

821. The Atlantic Lumber Company, Petitioner, vs. The L. Bue Ki & Southern Lumber Company. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

823. The Insurance Company of North America, Petitioner, vs. The Steamship "Prussia," The Hamburg American Packet Company, Claimant. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari

for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

894. The United States, Petitioner, vs. A. Bacharach & Co. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

Ex parte In the matter of James M. Ludden, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.)

Edward S. Richards,
310 of Oct. T. 1894. vs. Appellant,
The Chase Elevator Co., et al.

On consideration of the motion for leave to file a bill of review, in the Circuit Court of the United States for the Northern District of Illinois in these cases, It is now

Edward S. Richards,
311 of Oct. T. 1894. vs. Appellant,
The Michigan Central R.R. Co. et al.

Edward S. Richards,
312 of Oct. T. 1894. vs. Appellant,
The Chicago & Grand Trunk R.R. Co. et al.

ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Thomas M. Adams and E. C. Means, Administrators of Thomas N. Means,
113. vs. Petitioners,
Benjamin R. Cowen, Evan H. Williams and A. S. Thayer, Trustees.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and

Court of the United States for the District of Kentucky.

Per Mr. Chief Justice Fuller.

Order.

It is ordered by the Court that Mr. Justice Harlan be, and he is hereby, designated to audit and certify to the accounts of the Clerk for clerk hire and the incidental expenses of the Clerk's office and the accounts of the Marshal until the first day of the next term.

Per Mr. Chief Justice Fuller.

768. The United States, Hillaire Crockett and Captain Jack, Appellants, v. The Alaska Packers' Association (a corporation) and Kate Waller. Appeal from the Circuit Court of the United States for the District of Washington.

This cause having been called to the attention of the Court by Mr. Solicitor General Richards, of counsel for the appellants, and a stipulation of counsel for the respective parties to dismiss this appeal having been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

826. L. J. Bryan, Marshal &c., Petitioner, vs. Louis Bernheimer. The petition for a writ of certiorari herein was submitted to the consideration of the Court on a printed argument by Mr. J. H. Ralston, Mr. J. D. Rouse and Mr. William Grant, in support of the same.

832. The Southern Railway Co., Plff in Error, vs. The Postal Telegraph Cable Co. The motion to modify the supersedeas in this cause was submitted to the consideration of the Court by Mr. J. R. McIntosh, in support of the same, and Mr. Robert Stiles and Mr. A. L. Holladay, in opposition thereto.

244. The Louisville & Nashville Railroad Co., et al., Appellants, vs. Henry H. Behlmer. Mr. C. B. Northrop, of counsel, suggested the death of Henry H. Behlmer, the appellee herein.

455. Willis Thorp, Plff in Error, vs. S. A. Bonnifield et al. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. S. M. Stockslager and Mr. George C. Hazard, in sup-

position thereto

792. The Appleton Water Works Company et al., vs. The Central Trust Company of New York. Petitioners, — The petition for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Lyman E. Barnes, in support of the same, and Mr. B. K. Miller Jr., in opposition thereto.

113. Thomas M. Adams et al., Administrators &c., vs. Benjamin R. Cowen et al., Trustees. Petitioners. — On motion of Mr. John F. Hager of counsel for the petitioners, leave is hereby granted to file a petition for rehearing herein, and leave is hereby granted counsel for the respective parties to file additional briefs within 60 days if they shall be so advised.

347. John G. Schmidt, on his own behalf as part owner of the Schooner "Frank Vanderkerchen", vs. John A. Williams, Administrator of Daniel S. Williams, deceased, et al. Appellant, — Appeal from the District Court of the United States for the District of New Jersey.

It appearing to the Court that a stipulation of

Counsel for the respective parties to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller

356. S. H. Stone, Auditor, et al., Appts, vs. The President &c., Bank of Kentucky.
357. The City of Louisville, Appt, vs. The President &c. Bank of Kentucky
360. S. H. Stone, Auditor, et al., Appts, vs. The Louisville Banking Co.
361. The City of Louisville, Appt, vs. The Louisville Banking Co.
385. S. H. Stone, Auditor, et al., Appts, vs. The Farmers Bank of Kentucky.
387. S. H. Stone, Auditor, et al., Appts, vs. The Deposit Bank of Frankfort.

It is ordered by the Court that leave be, and the same is hereby, granted to file a petition for rehearing herein, and leave is hereby granted Counsel for the respective parties to file additional briefs within 60 days if they shall be so advised.

Order.

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business of the term not disposed of by the Court, be, and the same are hereby, continued until the next term of the Court.

Per Mr. Chief Justice Fuller

Proclamation being made the Court is adjourned to the time and place appointed by Law.